

CHAPLAIN.

Chaplain John A. Randolph to be chaplain with the rank of major.

PROMOTIONS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade):

Nathaniel H. Wright,
Roland R. Riggs,
Edward F. Greene,
Isaac C. Johnson, jr., and
Richard P. McCullough.

The following-named lieutenants (junior grade) to be lieutenants:

Nathaniel H. Wright,
Austin S. Kibbee,
Roland R. Riggs, and
Edward F. Greene.

Passed Asst. Surg. Charles N. Fiske to be a surgeon.
Asst. Surg. Howson W. Cole to be a passed assistant surgeon.
Surgs. Robert E. Ledbetter and Charles St. J. Butler to be surgeons in the navy.

Second Lieut. William L. Burchfield to be a first lieutenant in the Marine Corps.

Surg. Philip Leach to be a medical inspector.

First Lieut. Thomas H. Brown to be a captain in the Marine Corps.

APPOINTMENT IN THE NAVY.

Lester E. Wass, a citizen of Massachusetts, to be a second lieutenant in the Marine Corps.

POSTMASTERS.

MICHIGAN.

Alfred S. Follansbee, at Ontonagon, Mich.
John V. Wright, at Coloma, Mich.

MISSOURI.

Frank McNew, at Bloomfield, Mo.

NEVADA.

Alice F. Langwith, at Golconda, Nev.

NEW JERSEY.

Edgar I. Vanderveer, at Freehold, N. J.

NEW MEXICO.

Ignacio Lopez, at Las Vegas, N. Mex.

NEW YORK.

George A. Case, at Honeoye Falls, N. Y.
Clarence A. Stone, at Elbridge, N. Y.
Catherine Wiggins, at Cape Vincent, N. Y.

OKLAHOMA.

Thomas Fennell at Fort Towson, Okla.
Walter E. Rathbun at Coalgate, Okla.

PENNSYLVANIA.

Clara Brown at Linesville, Pa.
Mary J. Russell at Vilas, Pa.

WISCONSIN.

Ernest S. Mottram at Markesan, Wis.

SENATE.

SATURDAY, May 8, 1909.

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a petition of sundry employees of the American Cutlery Company, of Chicago, Ill., praying for the retention of the proposed duty on imported knives or erasers, which was ordered to lie on the table.

Mr. HALE presented a petition of sundry citizens of Winthrop, Me., praying for a readjustment of the wool schedule to remedy the inequalities detrimental to the carded woolen industry, which was ordered to lie on the table.

Mr. BRANDEGEE presented a petition of Typographical Union, No. 329, American Federation of Labor, of Waterbury, Conn., praying for a reduction of the duty on wood pulp and print paper, which was ordered to lie on the table.

Mr. NELSON presented a petition of Typographical Union No. 136, of Duluth, Minn., praying for the adoption of certain changes in the duty on wood pulp and paper, which was ordered to lie on the table.

Mr. GALLINGER presented a petition of the Board of Trade of Rochester, N. H., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

TARIFF ON DRESSED LUMBER.

Mr. GALLINGER. I present a letter from the Amalgamated Woodworkers' International Union of America relative to the wood schedule. I ask unanimous consent to have it read from the desk.

There being no objection, the letter was read and ordered to lie on the table, as follows:

AMALGAMATED WOODWORKERS'
INTERNATIONAL UNION OF AMERICA,
Chicago, May 5, 1909.

HON. JACOB H. GALLINGER,
Washington, D. C.

DEAR SIR: On reading the Chicago papers I am very much surprised to note the agitation and discussion in Washington by some Republican Senators advising and arguing for the taking off that portion of the duty on lumber which is assessed on account of it being dressed or worked.

Representing, as I do, as secretary of the Amalgamated Woodworkers' Association of the United States, having 7,000 employees, all of whom are employed in the planing mills and obtain their livelihood through lumber being dressed in this country, I most earnestly protest against any reduction of the tariff on dressed lumber.

During the past ten years, in meeting the various lumbermen, planing mill men, sash and door factories, and others who employ our members, in discussing the question of advance in wages and betterment of our conditions, I have become reasonably conversant with the cost of dressing lumber in this country, and the proportion of cash paid out to labor, to the members of our organizations, of the actual amount these firms obtain for dressing stock. Compared with the present schedule of duty on dressed lumber, I am reasonably conservative in stating that 90 per cent of the extra tariff, as shown in the schedule in the duty on dressed lumber, is for actual cash paid out for labor, not over 10 per cent being retained by the owners of the planing mills for their gross margin, out of which should come a reasonable proportion each year for depreciation of their plant, for keeping up of repairs, etc., leaving them but a small percentage of the actual amount obtained for dressing as a net profit, almost the entire amount being for labor.

Further, the present high cost of living, which you, as well as everyone, must thoroughly appreciate, brought about by the high cost of all kinds of articles we must eat; for instance, take the cost to-day of flour, meats, all kinds of provisions, the entire production of the farmer, you can appreciate how impossible it is for us to consider taking any lower wages; in fact, at the present time many of the mills at which our members are employed for some time have not been running full time, working only six or seven hours a day, and in some cases not every day in the week, in many instances during this winter running only half time, thus netting us a very small sum of wages per week, not sufficient to live upon in a reasonable way.

On the 1st of last January, when a number of our contracts had expired and in bringing up the question of new contracts for our employees for the year, after a thorough discussion of conditions, the employers showed us they could not possibly make us any further advances under present conditions. We are thoroughly familiar with the fact that if the extra duty which is added for dressed lumber is taken off, as practically all of the lumber shipped in here from Canada comes in the rough, allowing it to come in here dressed would necessarily take from our members just that amount of work; if the tariff on dressed lumber is retained, the lumber will continue to come here in the rough, giving to the members of our association the work of dressing it here.

Owing to the fact that in most cases the cost of living and cost of supplies is much less in Canada than in this country, also that the planing mills in Canada are located largely in small towns, where the cost of house rent would be materially less than it is in the large cities of the United States, like Milwaukee, Chicago, Detroit, Cleveland, Buffalo, and North Tonawanda, where at least 80 per cent of the planing mills are located at which Canadian lumber is dressed when shipped into this country, naturally Canada can dress lumber for some less cost than in this country; and in addition to that, in shipping lumber by cars from Canada she would get a great advantage, for the reason that by dressing lumber the weight is materially reduced. For instance, on a 6-inch strip in the rough would weigh 2,500 pounds per thousand feet; if worked to flooring, would weigh not to exceed 1,700 pounds per thousand feet, or a saving of 800 pounds per thousand feet. Take as a reasonable basis a freight rate of 15 cents per hundredweight from Canadian manufacturing points to Chicago, Detroit, or Buffalo, the Canadian operator would save in the weight of the lumber, as lumber is shipped by weight, 800 pounds, at 15 cents, or \$1.20 per thousand feet. In addition to the present extra duty he is obliged to pay on dressed lumber, making a material extra profit for the Canadian operator, and taking away from our men a means of livelihood, transferring entirely to Canada all of this work which is now being done in this country, throwing thousands of our men out of employment, further, practically making useless and of no value the immense amount of money invested in planing mills in all the large cities of the United States. In Chicago there are some 30 planing mills; in Milwaukee, about 10; in Detroit, about 15; in Cleveland, about 15; in Buffalo and Tonawanda, about 30. Considering the above, you must appreciate how unjust it would be to the members of our association, and we fail to see any reason why any such proposition can be advocated. We most earnestly enter our protest against any such action and feel, after a reasonable investigation of the facts, that in place of advocating any such move you will be glad to enter a strong, earnest protest against it.

Respectfully submitted.

AMALGAMATED WOODWORKERS'
INTERNATIONAL UNION OF AMERICA,
Per JOHN G. MEILER.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURKETT:

A bill (S. 2286) to grant to John Rivett privilege to make commutation of his homestead entry; to the Committee on Public Lands.

By Mr. CULLOM:

A bill (S. 2287) authorizing appointment of Hugh T. Reed upon retired list of the army, with rank of captain with twenty years' service; to the Committee on Military Affairs.

By Mr. BRISTOW:

A bill (S. 2288) for the relief of John A. Boutell; to the Committee on Claims.

By Mr. HALE:

A bill (S. 2289) granting an increase of pension to Thomas B. Pulsifer (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 2290) to authorize the Alabama, Tennessee and Northern Railroad Company to construct a bridge across Noxubee River; to the Committee on Commerce.

By Mr. DICK:

A bill (S. 2291) to reimburse depositors of the late Freedman's Savings and Trust Company; to the Committee on Education and Labor.

By Mr. NELSON:

A bill (S. 2292) granting a pension to Elizabeth Ellingson; to the Committee on Pensions.

By Mr. BULKELEY:

A bill (S. 2293) granting an increase of pension to William S. Edgerton, 2d (with accompanying papers);

A bill (S. 2294) granting an increase of pension to Stephen W. Glenney (with accompanying papers);

A bill (S. 2295) granting an increase of pension to William H. Johnson, jr. (with accompanying papers); and

A bill (S. 2296) granting an increase of pension to Napoleon B. Neal (with accompanying papers); to the Committee on Pensions.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the calendar will be taken up. The Secretary will state the first bill on the calendar.

The bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, was announced as first in order, and the Senate, as in Committee of the Whole, resumed its consideration.

The VICE-PRESIDENT. The pending amendment will be stated.

The SECRETARY. The pending amendment is on page 60, paragraph 180. The committee proposes to strike out paragraph 180 in the following words: "180. Lead in sheets, pipe, shot, glaziers' lead, and lead wire, 1½ cents per pound," and to insert a new paragraph 180, as follows:

180. Lead dross, lead bullion or base bullion, lead in pigs and bars, lead in any form not specially provided for in this section, old refuse lead run into blocks and bars, and old scrap lead fit only to be remanufactured; all the foregoing, 2½ cents per pound; lead in sheets, pipe, shot, glaziers' lead, and lead wire, 2½ cents per pound.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. BRISTOW. Mr. President, this amendment fixes the duty upon lead dross, lead bullion, base bullion, pigs, and so forth, at the same rate as the Dingley law. In this discussion yesterday I contended that there was no necessity for any differential between the duty on lead in lead-bearing ore and pig lead. I maintain the same position to-day.

In this connection I wish to refer to some of the testimony that was taken by the House committee relating to pig lead. On page 408 of the hearings, Mr. Peter Zucker, of New York City, says, in discussing the matter of the duty on paints or dry colors:

We ask that this duty be retained as at present, but in the event of a reduction, we ask for a reduction in bichromate and chromate of potash, under paragraph 62, which carries a duty now of 3 cents per pound; also of bichromate of soda, under paragraph 74, dutiable at 2 cents per pound; also of pig lead, under paragraph 182, carrying a duty of 2½ cents per pound, on the ground that both bichromates and the lead form the chief constituent parts of all chrome colors included in paragraph 48.

The duty on pig lead is so far in excess of the relative duty on chrome colors that an injustice is being done to the American manufacturers at the present time, and any reduction in the duty on chrome colors included in paragraph 48 would demand a reduction in the duty of each of the three items above referred to.

I read this to show that this excessive duty on pig lead necessitates, according to the manufacturer, a duty on other articles

of common use that is not necessary if the duty on pig lead is reduced.

Mr. Lissberger, on page 2357 of the hearings, under Schedule C, said:

In the first place, I want to say this in regard to this conference: It was unanimously agreed that the present tariff was not a protective tariff—

This is referring to the tariff on pig lead—

but was an absolutely prohibitive one, and that the only protection the manufacturers could find was to the refining companies, protecting them from any opposition whatsoever in their ability to do pretty much as they pleased with both the miners and the consumers. And I must say, gentlemen, that that impression has grown very much stronger in my own mind since I have listened to-night to the miners. I believe that what they want is not so much protection from foreign ore as it is protection from the smelter and refiner. I think they have demonstrated that very clearly here.

That is from the testimony of Milton L. Lissberger, of Long Island City, N. Y. On page 2358, continuing, Mr. Lissberger said:

The first question that came up was that this duty of 2½ cents was prohibitive. It did not protect the workmen; they did not come into the question. We asked for a very material reduction, because that is inordinately high. It amounts to actually, at the present time, 75 per cent. The price of lead in England to-day is about 2.8 cents. A duty of 2½ cents is a little above 75 per cent.

Mr. BEVERIDGE. The Senator—

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Indiana?

Mr. BRISTOW. Certainly.

Mr. BEVERIDGE. The Senator is reading from the hearings before the House Ways and Means Committee?

Mr. BRISTOW. The hearings before the House committee, Schedule C, page 2358.

Mr. BEVERIDGE. Then it does appear that the House did have the very question of this differential particularly before them, and they had that information before they acted.

Mr. BRISTOW. Certainly, and I intend to show before I get through with this hearing that, from a reasonable deduction that can be drawn from what has been said before that committee in these hearings, the House left this as it was because they thought it ought to be left that way, and not because they did not have time to change it. I should like to have some evidence that it was left in this bungling condition, as is alleged by the Committee on Finance, because the House did not have time to change it.

Mr. SUTHERLAND. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. Is it not true that the House committee reported a duty of 1 cent on the lead contained in ores and a duty of 1½ cents on pig lead?

Mr. BRISTOW. I do not know—

Mr. SUTHERLAND. I presumed the Senator was familiar with the history of this matter. I want to be—

Mr. BRISTOW. I will answer the Senator's question. I do not know what they reported, except as it appears in the bill which they sent from the House to this body, and which we have under consideration.

Mr. SUTHERLAND. My understanding is that the House committee reported the bill providing for a duty of 1 cent on ore and 1½ cents upon pig lead, making a differential of one-half cent upon the pig lead. The point I desire to make to the Senator from Kansas is that the Ways and Means Committee of the House, having deliberately considered the whole subject, concluded that half a cent differential was necessary, and there is nothing in the proceedings of the House to indicate that the House itself had changed its mind about it.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Rhode Island?

Mr. BRISTOW. I should like to answer the Senator from Utah, and then I will be glad to yield. What the Senator's impression may be I do not know except as he declares it, but what we do know is that the House in passing this bill fixed a duty of 1½ cents a pound on the lead in lead ore and laid a duty of 1½ cents a pound upon pig lead, and I take it for granted that that was the deliberate judgment of that body.

The VICE-PRESIDENT. Does the Senator from Rhode Island now desire to interrogate the Senator from Kansas?

Mr. ALDRICH. I should like to suggest to the Senator from Kansas that I made a remark incidentally stating certain facts, but I tried to say to the Senator then, as I say now, that it makes not the slightest difference to this question what the House have done from time to time in fixing their schedules. We are here to do right, to do justice upon the merits and facts in this case.

Mr. BRISTOW. Mr. President, I am delighted to hear the Senator from Rhode Island make that remark; and I hope that all Senators here will listen to some testimony which he evidently has not read, and which I intend to read for the benefit of the Senate.

Mr. ALDRICH. I have read all this testimony. I know perfectly well that the smelters are interested in bringing lead into this country as cheaply as they can, because they own smelting interests in Mexico, and they are desirous of breaking down this differential. Nobody knows it better than I do.

Mr. BRISTOW. Continuing, Mr. Lissberger said, on page 2359:

If you mean to give us ore at a cent and a half, in the first place, you learn that while they get \$8 a ton for smelting ore—

I should like to call the attention of the Senate to this statement—

you learn that while they get \$8 a ton for smelting ore, yet they ask a protection between the ore and the metal of five-eighths of a cent a pound, or \$12.50 a short ton.

Mr. BEVERIDGE. I wish the Senator would repeat that.

Mr. BRISTOW. I will read it again, for I think every Senator ought to hear it.

Mr. ALDRICH. Whose testimony is the Senator reading from?

Mr. BRISTOW. I am reading from Mr. Lissberger.

Mr. ALDRICH. Mr. Lissberger, I understand, is a man who is here representing, as he says, certain independent smelters, to try to break down the whole lead schedule.

Mr. BRISTOW. From this testimony I infer that he is a manufacturer of lead products, not in the smelting business.

Mr. ALDRICH. Certainly he told me that he represented the independent smelters of the United States. I do not know who they are. But he is trying to break down this whole lead schedule. Not only did he say he was representing the independent smelters, but he is a purchaser of lead, and he would—

Mr. BRISTOW. The purchaser of lead has some rights in this country, as well as the man who smelts it and sells to the purchaser, and I think he should receive some consideration in this body, as well as the men who have lead to sell.

Mr. SMOOT. I should like to ask whether the Senator from Kansas would like to take the same position that Mr. Lissberger does. His position is that there should not be a particle of duty on lead or lead ore.

Mr. BRISTOW. I beg to inform the Senator from Utah that he is mistaken as to the attitude of Mr. Lissberger. His testimony—

Mr. SMOOT. Mr. Lissberger has told me himself that he thought it ought to be free.

Mr. BRISTOW. He does not seem to have stated it to the committee under oath. I will continue to read—

Mr. BEVERIDGE. It seems to me the question is not what Mr. Lissberger's intentions were, but the question is, so far as we Senators are concerned, whether his testimony before the Committee on Ways and Means of the House was the truth or not.

Mr. BRISTOW. I will start in to read the paragraph again.

Mr. ALDRICH. The Senator from Indiana is troubled about this gentleman—

Mr. BEVERIDGE. No; I am not troubled about the gentleman. It seems that the Senator from Rhode Island is, because the Senator from Rhode Island said his intention was to break down the lead schedule. The question is whether the statements that he made are the truth or not. We all agree with the Senator's statement a moment ago. What we are trying to do here is exactly the right thing.

Mr. ALDRICH. But the Senator from Indiana rushes to the defense of a gentleman who, according to the statement of the Senator from Utah, wants to put these lead products on the free list.

Mr. BEVERIDGE. Mr. President, I neither defend nor traduce. The Senator from Kansas is reading testimony given before the House committee, to which the House committee evidently gave credence, that is not to be overcome by the statement of the Senator from Utah, whom I esteem as highly as anybody in the world. Though this man is a free trader or a protectionist or an aeroplane balloonist, that has nothing to do with the credibility of his testimony.

Mr. BRISTOW. Mr. President, I will read the paragraph again:

The CHAIRMAN. Pig lead, you mean?

Mr. LISSBERGER. Pig lead. If you mean to give us ore at a cent and a half, in the first place, you learn that while they get \$8 a ton for smelting ore, yet they ask a protection between the ore and the metal of five-eighths of a cent a pound, or \$12.50 a short ton. And the language of your clause is so drawn in regard to the bringing in of

lead ores that only two smelters can comply with it. The small smelter can not bring in ore. He can not come within the requirements of the Government.

That is the testimony of Mr. Lissberger, on page 2359. On page 2360 he says, referring to a meeting of the lead manufacturers:

But I want to say that every one of the lead manufacturers there said: "We will be very glad, if the duty on lead is removed or partially removed, to have just as much and just as big a percentage removed from our manufactured goods."

Is not that fair? This man does not come here to testify for high duties or low ones.

"We do not feel that we need very much protection on manufactured lead."

Mr. BONYNGE. If you take the duty altogether off of lead in the ore, would the lead manufacturers be willing to have free trade on their articles?

Mr. LISSBERGER. Yes, sir.

Mr. BONYNGE. Absolutely free trade?

Mr. LISSBERGER. Absolutely free trade, if you take it off of pig lead. They do not advise it. They believe in protection, but they say that if you will give them free lead they are willing to take it off their manufactured goods. That is because they have the best workmen in the world, and they can turn out more per dollar day than any other; and even as it is, with all the expense added of bringing over foreign lead, they can and do sell their goods in foreign countries.

Mr. President, this gentleman whose testimony I am reading does not advocate free trade and he does not believe in it, but he does ask that as an American manufacturer, whom the protective tariff is supposed to protect, he be given a fair showing in the purchase of the material out of which he makes his goods, and that the refiners be not given a protective duty of \$12.50 a ton on pig lead when it costs them only \$8 a ton to refine the ore and turn it into pig lead.

Mr. SMOOT. Mr. President—

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Did I understand the Senator was reading from the House Hearings, on page 2365?

Mr. BRISTOW. The House Hearings, Schedule C, page 2360.

Mr. SMOOT. Page 2360?

Mr. BRISTOW. Yes, sir; that was the last I read.

Mr. SMOOT. That is followed, is it not, on page 2361, by the testimony of J. N. M. Shimer?

Mr. BRISTOW. Yes, sir.

Mr. SMOOT. Of Philadelphia. What position does he take?

Mr. BRISTOW. I am not discussing Mr. Shimer now. I will leave that for the Senator from Utah.

Mr. SMOOT. I simply wanted to say to the Senator that both of them are interested exactly in the same thing, and in starting out it is stated in the hearings of the committee:

J. N. M. Shimer, Philadelphia, Pa., advocates the removal of all duty from lead.

They are in the same line of business; they are working together; their object is the same. I know what I say when I say that.

Mr. BRISTOW. Let me ask the Senator from Utah to please state whether or not the testimony of Mr. Lissberger, in regard to the cost of smelting lead, is true or false?

Mr. SMOOT. I say that it is absolutely false.

Mr. BRISTOW. All right, sir; that is your statement against his. Now, I will proceed.

Mr. SMOOT. Another thing I will state. Mr. Lissberger knows nothing about smelting whatever.

Mr. BRISTOW. Nothing about what?

Mr. SMOOT. The smelting of ore or the cost of it.

Mr. BRISTOW. I will read from somebody who does, which will probably satisfy the Senator.

Mr. SMOOT. There are many things to take into consideration in the cost of smelting. You can not smelt ore carrying 10 per cent lead as cheaply as you can smelt ore carrying 60 per cent. You can not smelt siliceous ore as cheaply as you can smelt wet ore. When a purchaser of lead comes here and tells the committee, not under oath, that it costs so much—

Mr. BRISTOW. I beg your pardon. He is testifying under oath before the Ways and Means Committee of the House of Representatives.

Mr. SMOOT. I was there in the committee when he made these very remarks, and he was not sworn.

Mr. FLINT. I should like to ask the Senator to read in the record where he was sworn.

Mr. BRISTOW. I can not turn to just the place, but he was sworn. When testimony is taken before a committee, of course you do not swear a witness every time he goes on the stand to testify in a case where he has been sworn. When he went upon the stand he was sworn, I suppose, as this was the rule.

Mr. SMOOT. I was in the Committee on Ways and Means of the House when Mr. Lissberger was there testifying. I heard every word of this testimony, and I tell the Senator now that he was not sworn.

Mr. STONE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. Certainly.

Mr. STONE. Let me offer another witness who was not sworn in that hearing, but is under the sanctity of the same oath of the Senator from Utah. I read from yesterday's RECORD:

Mr. BRISTOW. As I understand from the remarks of the Senator from Idaho, it costs about \$12.50 a ton to take the lead out of the lead ore and make pig or bullion of it.

Mr. HEYBURN. It costs fully that.

Mr. BRISTOW. Now, this five-eighths of a cent per pound is for the purpose of making up the difference in the cost in this country and abroad, as I understand it.

Mr. HEYBURN. That is \$12.50. That is what it amounts to—\$12.50 a ton.

Mr. HEYBURN. Mr. President—

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. HEYBURN. A reading of the entire paragraph would convey some information as to what I really did say. I used the term that \$12.50 a ton only meagerly represents the cost. I did not undertake to say what it was. I have the figures as to the cost, and I will at the proper time give them. I did not confine it to that. I was speaking by reference and not directly.

Mr. STONE. I started to read all there was that I found on the subject.

Mr. HEYBURN. On page 1884, at the bottom of the second column, is the statement in the RECORD to which I refer.

Mr. BRISTOW. I will now read from a statement of Mr. Edward Brush, of No. 165 Broadway, New York City, representing the American Smelting and Refining Company. I should think his testimony would be accepted. On page 2388—

Mr. SMOOT. I should like to ask—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I want to say that Mr. Brush, or the company that Mr. Brush represents, owns more lead mines in Mexico than any other company in the United States. He not only owns the mines, but he owns the smelters, and they control the situation there. What difference would it make to Mr. Brush or his company if he made his money in Mexico or made it in the United States?

Mr. BRISTOW. Well, wait until I have read Mr. Brush's testimony before you become alarmed at what it may contain.

Mr. SMOOT. I know what Mr. Brush's testimony is.

Mr. BRISTOW. On page 2388, I read as follows:

The CHAIRMAN. Before you get to that, and still speaking of the Silver King mine, how much does it cost per ton for the process of smelting and refining? Can you take it for some year, say 1906?

Mr. BRUSH. I haven't any particular year made up. I simply picked out this statement, which covers three months only—it must be this year, three months of this year. There is virtually no difference in the character of the ore. These are fair averages. Those happen to be the figures I have before me.

The CHAIRMAN. What was the cost?

Mr. BRUSH. The cost we have figured here, that we had to charge up against ourselves, averages \$7.25 per ton of ore. Our charge against the mine, what we call our margin against the mine, was a little less than \$10, showing a profit of less than \$3 a ton on that ore.

A cost to the smelting company of \$7.25, yet this amendment which is under consideration now provides for giving that smelter a protection of \$12.50 a ton. The chairman then asked him for the items, and this was his testimony:

What we call our margin is—

That makes up the \$10, of course—

we take the value of the metals at the New York quotation. All the metal contains the ore at the New York quotation. Deduct from that the freight to New York, what we have to pay the refiner for refining, and from this deduct the amount of money that we pay to the miner, and the difference is the margin, the money we have left to do our work with, provided we are able to sell those metals in New York at the price we pay for them. We pay the miner for all the metals in the ore by sight draft when he ships the ore to the smelter, against the weights and assay, which is checked by his own representative; but we do not get the metal to the market on an average of four months after that period, and we always assume that we will be able to sell our metals for what we pay for them, but at times that has been hard work.

That is the \$3 profit which he gets for smelting and carrying this investment for three or four months, and the necessary profit he must have on doing the business.

The CHAIRMAN. What do you charge for smelting that?

Mr. BRUSH. I have not the particulars of what we charge them for smelting, because the contract as it is made pays for a certain amount

of lead, pays for a certain amount of silver, and pays for all the gold at the New York quotation, and then makes a deduction which we call a working charge, and that, in the case of these lead ores, is usually about \$8 a ton.

That is the statement of Mr. Brush. That is on page 2389.

Now, again, on page 2394, Mr. Brush discussed this question. He says:

The total amount of freight paid—

In speaking of the handling—

was \$25.50—

A ton—

The cost to the smelter was \$5.55—

Per ton. Now, I should like Senators to note this carefully: The cost to the smelter was \$5.55; the cost to the refiner was \$4.50, making a total cost of \$83.90—

Per ton, all told, for freight, and so forth, but making the cost of smelting and refining, as subdivided here, \$10.05 per ton.

The silver in it was worth \$16.21. If you deduct that and throw all the cost upon the lead—

Now, note—

which is certainly not a fair way of figuring costs, you will bring out the cost of 1 ton of lead at \$67.69, or \$3.38 a hundred pounds. Now, at 4 cents New York, there was a profit of 62 cents a hundred pounds. That profit was divided, 31 cents to the mine, 15 cents to the smelter, and 16 cents to the refiner.

That ought to be good testimony.

Mr. SMOOT. Well, Mr. President—

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Mr. Brush says here that that is "not a fair way of figuring costs." Does the Senator think that it is a fair way?

Mr. BRISTOW. He says, if you put all of the cost on the lead.

Mr. SMOOT. Yes; but does the Senator think that all the cost ought to go on the lead?

Mr. BRISTOW. I do not; and if the cost is taken off the lead, it will reduce the cost of smelting just that much and make it less than the figures given here, \$10.05.

Mr. SMOOT. That is just what I wanted the Senator to say, because now I want to tell him something about the mining that is not mentioned here at all.

Mr. BRISTOW. I would prefer that the Senator would tell the Senate that in his own time.

Mr. SMOOT. That is all right. I do not want to trespass on the time of the Senator, but I wanted to state—

The VICE-PRESIDENT. The Senator from Kansas prefers not to yield.

Mr. BRISTOW. I would be glad to answer any question, if I can; but I prefer that the Senator, in making extended remarks, should make them in his own time.

Mr. SMOOT. I did not intend to make any extended remarks. I just wanted to say something on that very point.

Mr. BRISTOW. On page 2397, Mr. Brush, of the American Smelting and Refining Company, proceeds:

The refiner—

This is an interesting thing, and I should like to have all Senators hear it, for it is exceedingly important in the consideration of this item—

The refiner is not protected at all—

Now, note the difference—

The refiner is not protected at all under the present tariff. The tariff on lead bullion, which is imported from Mexico, is 2½ cents. Although I appear as representing the smelting company, I thought I should make that clear. The tariff at the present time is 2½ cents on lead bullion, which is the production that is exported from Mexico very largely to our refineries and other refineries in this country, to be refined here by American labor in American works, and the duty on pig lead is exactly the same, 2½ cents.

So this process, which costs \$4.50 between the smelting and the refined product, has no protection whatever under this bill or under the old law.

This \$12.50, which is added to the cost of the lead bullion, is to represent a cost to the smelters of \$5.50; yet they are contending before this body that the refiners need a differential over the duty on lead ore.

Mr. SMOOT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I think the Senator ought to be perfectly fair in this matter.

Mr. BRISTOW. I certainly am trying to be.

Mr. SMOOT. But he is quoting from one particular mine. Let me call attention to what Mr. Brush says on that point:

That was one mine. If you care to have some other mines, I will show you something quite different. We have to get an average profit out of all the ore that goes into the furnaces, and any one charge into a furnace may mean, and probably does mean, ores from 30 to 50 different mines, all mixed together in a body to get the proper metallurgical formula. We get our average cost and average margin, the difference being the average profit at those works. That is the only way we can do business.

Mr. BRISTOW. What does he say the average cost was?

Mr. SMOOT. On this—

Mr. BRISTOW. I do not know what part of the volume of the testimony the Senator is reading from.

Mr. SMOOT. I am reading from page 2391.

Mr. BRISTOW. The last paragraph that I read did not refer to the Silver King mine.

Mr. SMOOT. I am not referring to that at all.

Mr. NEWLANDS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Nevada?

Mr. BRISTOW. Certainly.

Mr. NEWLANDS. I wish to ask the Senator from Utah what is the average price for smelting ore?

Mr. SMOOT. The average price, I should judge, for smelting ores, taking ores in all kinds of industries, is something between \$10 and \$11 a ton. It depends on how much we are penalized for sulphur, how much we are penalized for zinc, and what amount of silica the ore may carry. All these things come into the consideration of the cost of smelting.

Mr. NEWLANDS. I wish to ask the Senator a further question. If the total cost of reducing the ore on the average is, as he says, \$11, is it not unfair, even upon the protective principle, to allow in this tariff bill \$12.50 per ton?

Mr. SMOOT. Mr. President, I want to say to the Senator, if I may, that there is no doubt in the world that \$11 per ton would take care of high-grade lead ore; but the bulk of ore, the great quantity from which leads come, is low-grade ore; and to fix a duty of one-eighth of a cent, if that means \$2.50 a ton, would be absolute ruin to the low-grade proposition.

Mr. NEWLANDS. The Senator from Utah speaks of the average. Then, I presume that means that in some ores it costs very much more than \$11 a ton and in others very much less?

Mr. SMOOT. I have known to be paid, and have paid many times, as high as \$16 and \$17 a ton for smelting the ore. The Senator certainly must know that, because I know some of the siliceous ore in Nevada costs more than that.

Mr. NEWLANDS. I believe that; but I wish to submit this consideration to the Senator: That, on the average, according to his statement, the total cost is about \$11 per ton. The protective theory simply warrants, not the imposing of a duty equal to the total cost of the work by the domestic manufacturer, but the difference between the cost to the domestic manufacturer and to the foreign manufacturer. It must cost the foreign manufacturer something to reduce this ore. If it costs us here an average of from \$10 to \$11, it must cost the foreign manufacturer at least from \$8 to \$9 a ton, even if the wages are less.

Mr. SMOOT. The difference between the concentrating alone in Mexico and the United States is the difference between \$6.75 and \$12.

Mr. NEWLANDS. Very well. But it must cost something. Let us get at the average cost, then, in the outside reducing of these ores. I assume that I am very liberal when I say that it is one-half. The difference, then, between the outside cost of reduction of \$6 per ton and the inside production of \$11 per ton is only \$5 per ton; and yet this bill seeks to impose as a duty more than double that amount—\$12.50 a ton.

Mr. SUTHERLAND. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the junior Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. My colleague [Mr. SMOOT] and the Senator from Nevada [Mr. NEWLANDS] are talking about the cost of smelting a ton of ore, not a ton of lead. The ore may only contain 25 per cent lead or 10 per cent lead, and it will cost anywhere from \$8 to \$11 per ton to smelt that ton of ore, not a ton of lead. Suppose that we take an extreme case of ore which contains 50 per cent lead, and suppose they recover every particle of it—which they do not; they recover only about 88 per cent—but suppose they recover every particle of it, then it costs to smelt a ton of ore containing 50 per cent of lead \$10, we will say, but it costs to get a ton of lead from the 50 per cent ore \$20; and if it is 25 per cent lead, it costs more.

Mr. NEWLANDS. Mr. President, I recognize the force of what the Senator from Utah says regarding the distinction be-

tween ore and lead; but I will ask the senior Senator from Utah what is the cost in this country per ton of lead, on the average?

Mr. SMOOT. If you mean the New York quotations to-day, I think about 4.3—

Mr. NEWLANDS. I refer to the cost of refining—the cost of reducing and getting out 1 ton of pig lead. It does seem to me that this thing has been reduced to such a science by the great smelters that the Committee on Finance ought to be able to produce here exact figures regarding this matter and not rely upon mere conjecture.

Mr. SMOOT. It would be impossible to do what the Senator asks. The nearest thing which we can come at is an average, and that, I think, I have given.

Mr. BRISTOW. Mr. President, I will continue reading from the testimony of Mr. Brush, of the American Smelting and Refining Company:

Mr. CRUMPACKER. It is safe to say, then, Mr. Brush, that it does not cost more than \$8 a ton for the lead for smelting, calculating that the concentrates run about 50 per cent of lead?

Mr. BRUSH. In this example I give I used \$3 per ton of concentrates as the cost of smelting.

Mr. CRUMPACKER. Three dollars per ton of concentrates?

Mr. BRUSH. Yes.

Mr. CRUMPACKER. And at 50 per cent it would amount to \$6, but suppose we fix it at \$8. Eight dollars will amply pay the cost of smelting, will it not?

Mr. BRUSH. I should say so.

Mr. CRUMPACKER. And we have a differential to protect this smelter of \$4.50 more than the entire cost of the smelting process?

Mr. BRUSH. Yes.

Mr. SMOOT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Does Mr. Brush anywhere in that testimony state that he only recovers about 85 per cent of the lead; and does the Senator think that in recovering only 85 per cent that that is not a loss?

Mr. BRISTOW. I was discussing the cost of smelting, and Mr. Brush says that \$8 a ton will cover it; and that covers everything, according to his testimony.

Mr. SMOOT. O Mr. President, he says that that covers the cost of the smelter; but it does not cover the loss of 15 per cent.

Mr. BRISTOW. I do not so understand it. A suggestion has been made to me which is very pertinent to the point. Does not every other smelter on the face of the earth have the same loss?

Mr. SMOOT. I answered the Senator from Kansas yesterday on that point, and I supposed that he remembers what I then said.

Mr. BRISTOW. The Senator's answer was not at all satisfactory. I could not comprehend that it was an answer to the question at all. The testimony continues:

Mr. CRUMPACKER. You think that is too high?

Mr. BRUSH. Yes, sir.

Now, Senators, I want you to listen attentively to this testimony of Mr. Brush, who came here as the representative of the American Smelting and Refining Company, which the Senator from Utah [Mr. SMOOT] says is the largest institution of that kind in America.

Mr. SMOOT. Or in Mexico as well.

Mr. BRISTOW. Speaking of the duty of \$4.50 per ton more than the entire cost of the process, Mr. CRUMPACKER said:

Mr. CRUMPACKER. You think that is too high?

Mr. BRUSH. Yes, sir.

Mr. CRUMPACKER. Do you think we need any at all, any duty for smelting?

Mr. BRUSH. I think there should be some. It costs very much more to smelt in this country than in Mexico.

Since the Senator says that Mr. Brush has refineries in both countries, his testimony certainly ought to be good. This is his statement under oath.

Mr. SMITH of Michigan. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. Mr. President, I want to suggest to the Senator from Kansas [Mr. BRISTOW] that the fact that Mr. Brush has interests both in Mexico and the United States is probably one of the best reasons in the world why his testimony should not be accepted as final. He is in a better position almost than any other person to profit by a lead duty if we make it too low.

Mr. SMOOT. He would profit either way.

Mr. SMITH of Michigan. Yes.

Mr. BEVERIDGE. If he would profit—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Indiana?

Mr. BRISTOW. Yes.

Mr. BEVERIDGE. If he would profit either way, as the Senator from Utah [Mr. Smoot] says, then certainly he has no motive for committing falsehood under oath, because this statement was given under oath. There could not be any more impartial testimony than that of a man who would win either way.

Mr. SMOOT. That all depends on how much he profits in Mexico and how much he would profit in the United States, and I have no hesitancy in saying that he would profit more in Mexico.

Mr. BRISTOW. I will continue to read the testimony. These continuous interruptions break the thread of the testimony somewhat.

Mr. SMOOT. From what page is the Senator reading?

Mr. BRISTOW. From page 2415. I will go back to where I started a few moments ago.

Mr. ROOT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from New York?

Mr. BRISTOW. I do.

Mr. ROOT. I do not like to let the comments on Mr. Brush pass without saying that I have known him for many years, and I have very great confidence in anything he says, because I believe him to be a man of high character and thoroughly entitled to be trusted. Of course he is liable to be affected in his views and opinions by his interests, as all men are; but whatever he says, whether under oath or not under oath, I am certain is what he honestly believes.

Mr. SMITH of Michigan. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. I hope the Senator from New York did not understand me to cast any reflection upon the witness. That was very far from my purpose. But, conceding that he is a man of the highest integrity, I question whether or not, having interests in a foreign country and interests here, he is the best judge of the interests here. For instance, take the testimony of a large owner of Canadian stumpage as affecting the domestic lumber market. I would regard it as very questionable whether he was the best judge.

Now, while I am on my feet, if I do not annoy the Senator from Kansas, I am very anxious to see the lead ore converted into pig in this country. I am very anxious that the American people shall have the benefit of the wage necessary to make that conversion. I do not care to have it exorbitant; but I do want to retain that as a domestic enterprise; and whatever will do that, it seems to me, is right. The Senator from Kansas says that it costs about \$8 to convert a ton of ore into pig. Is that right?

Mr. BRISTOW. I was reading from the testimony of Mr. Brush.

Mr. SMITH of Michigan. I understood from very excellent authority that it could not be done for less than \$12 a ton. If there is that discrepancy among men who know practically what it does cost, I want to be sure to be on the safe side. I want to retain this industry as a domestic industry.

Mr. CLAPP. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. Certainly.

Mr. CLAPP. I fully agree with the Senator from Michigan [Mr. SMITH] that, without impugning a man's motives, we should weigh his testimony in this case in the light of his relation to the interest concerned; and, with that criticism applied to the witness from whom the Senator from Kansas is quoting, I would suggest that we can take with a grain of caution the alarming statements of all the men who are vitally interested in the various industries, and that, too, without in any sense impugning their honesty.

Mr. BEVERIDGE. On both sides.

Mr. CLAPP. Yes, sir.

Mr. BRISTOW. I want to inject a remark before the matter passes from my mind. There is no evidence here whatever that Mr. Brush has the slightest interest in having this smelting done in Mexico any more than in the United States. He appears to be discussing the question with absolute fairness, without any personal bias whatever, and to be giving us the result of his experience and his judgment, as the testimony which I propose to read hereafter will clearly demonstrate.

Mr. CLAPP. Mr. President, I think that is true. I was only suggesting that the criticism of the Senator from Michigan might well apply generally in this discussion. On every item we reach the same assertion is made—that while there should be some modification somewhere, yet the particular interest in-

involved can not stand the slightest modification. If we are to accept such statements without any allowance, we might as well, in my judgment, offer an amendment striking out all after the enacting clause and substituting the provisions of the Dingley Act. We have simply got to lift ourselves above that kind of testimony, not in any spirit that impugns the honesty of the witness, but recognizing that judgment is warped where interest is at stake.

Mr. BRISTOW. Now, Mr. President—

Mr. NELSON. Mr. President, will the Senator yield to me?

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. With pleasure.

Mr. NELSON. The Senator from Utah [Mr. Smoot] a moment ago called attention in a very serious manner to the fact that Mr. Brush was interested in Mexico. I want to read from the hearings, on page 2386:

The CHAIRMAN. Where are your works located?

Mr. BRUSH. Throughout the West at the most convenient points for the receipt of the ore from the Rocky Mountains. We also have some smelters in Mexico. Our refineries are at Omaha, Chicago, and Perth Amboy, on the harbor of New York.

Mr. KEAN. Perth Amboy is in the State of New Jersey.

Mr. NELSON. Yes; in the State of New Jersey; and I am greatly obliged to the Senator from New Jersey for the correction. Then, on page 2391, he states:

We refined 216,000 tons of lead, including Mexican lead, which was refined in bond.

So it seems that even the Mexican base bullion is sent here to the United States to be refined. It is shipped over in bond and sold in competition after it is refined in Europe, and the smelters get a rebate of the duty paid less 1 per cent. I am a little surprised, I want to say in this connection, at the excessive eagerness and zeal of the Senator from Utah, who seems to assume an attitude as though he were angry at any man who did not agree with him and who had anything to say in regard to the lead schedule.

Mr. SMOOT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Of course I do not wish to reply to the last remark of the Senator from Minnesota; but I want to say to the Senator from Minnesota that I am just as much interested in the industries of my State as he is in the industries of his State. If he will turn back to the Record, he will not find a word in any statement I have made that Mr. Brush is interested in refining in Mexico. I said "in smelting." That is where the great cost is. There are in the United States only about three refineries. You can not build refineries in every mining camp or in every State that produces ore.

Mr. NELSON. Let me ask the Senator a question: Is it not at the refineries where the base bullion is refined and the lead separated from the precious metals?

Mr. SMOOT. Mr. President, anyone who knows anything about mining knows that to be the case; and not only that, everyone knows there are very few men or companies of men who have ever tried to build refineries in this country or any other. No miner of ore ever thinks of building a refinery. The miners in my own State time and time again have thought perhaps they would build a refinery, but they found it impossible for them to do so, as it costs too much money, and there is too much money involved in carrying the necessary amount of metal and in carrying the great quantity of lead and the precious metals contained in the bullion.

Mr. BURKETT. I should like to ask the Senator a question.

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. BRISTOW. Certainly; I should like to get all possible light on this question.

Mr. BURKETT. I should like to ask if the committee heard anybody that was in favor of reducing the duty on lead or the products of lead?

Mr. SMOOT. Mr. President, I do not think there is a member of the committee who has not met the purchasers of lead time and time again and heard them ask for free lead.

Mr. BURKETT. There was no hearing, then, granted before the committee?

Mr. SMOOT. We had no hearings before the committee.

Mr. BURKETT. I understand it to be true that, while the manufacturers and those who use lead and lead products did seek for hearings before the committee, they were not granted that opportunity; and so they had to do like a good many others—buttonhole Senators in the corridors or wherever they could catch them, and inform those Senators who did not have

some special information on the subject as best they could. I would rather have that information from the committee.

Mr. SMOOT. I will say to the Senator that they have all filed their briefs, the same as a thousand other different interests in this country have done; and I do not believe there has been a Senator on that committee who has not read some of the briefs. There is not a member of the committee who has not been visited by representatives of this industry in the same way that the representatives of a great many other interests of the country have visited members of the committee.

Mr. BURKETT. I would say, in that connection, since the Senator has referred to it, that that is one of the things about which I have something of a quarrel with the Committee on Finance.

It has occurred to me that in bringing this great bill before the Senate the committee is subject to some criticism for not giving more information than they have given to the Senate. Here is a great bill, the most important that ever comes before the Senate. On all other legislation we know the committees of the Senate have hearings, and what people say who know about the questions involved is reported and is brought in before us, so that we can inform ourselves; but here in this great bill we have not a single syllable of reported testimony. Take the lead schedule, for example, or the iron and steel schedule that was before us in a debate a day or two ago. It would not have taken long; it would not have been impossible; it certainly would not have been improper for the committee to have found out and brought before us evidence to show beyond peradventure whether or not some statements that have been made are true or whether they are false; for example, the statement that certain great combinations control certain portions of the output.

The committee ought to have that information in detail, it seems to me. I have had handed to me by a Senator this morning some matter that disproves certain statements made here the other day. It would have been very easy for the committee to have had that testimony presented to it.

We have been four days debating this one schedule—the lead schedule—and I think every Senator will agree that the reason for this prolonged debate has been largely that Senators have not known about the subject. I recall that the first evening the matter came up there was not even a Senator on the committee, apparently, who was prepared at that time to stand up and give us very much information.

I remember a few days ago when a certain schedule came up during the first reading of the bill Senators of the committee admitted that perhaps it had better be delayed a little while, as there was some information to be had upon that matter. There is nothing furnished us here to give information upon these subjects; and so I asked the Senator from Utah whether or not a hearing had been had.

I understand, of course, that Senators who live in particular States, where these particular industries are conducted, have certain information; but it does seem to me that the committee ought to have acted as a sort of judicial tribunal or referee, as it is in fact, for the Senate, and have taken evidence and put it in shape so that we might have it to consider when we come to vote upon the different schedules. Instead of that we are left absolutely helpless. If it were not for the House having spent some time in holding hearings, which have been printed, we would be absolutely without any evidence. We are now groping around in the dark, gathering evidence wherever we can.

It is very embarrassing to Senators, and let me say that embarrassment is shared by business men also. For example, there have been business men here buttonholing us morning, noon, and night trying to give us information. The president of one of the greatest industries in this country spoke to me last night upon a particular schedule of this bill, and it seemed to me, as he demonstrated the matter to me, that perhaps the committee had made a mistake. That, however, is not to be considered now, as the schedule is not before us; but I use it as an illustration. He told me, while those he represented had not had a hearing before the committee, that by seeing members of the committee individually he had convinced every one of them that his contention was right that one certain part of the schedule should be raised, and perhaps another part decreased.

I say that business men have been embarrassed by that condition. They have to come here every day and chase Senators up and down these corridors to get the facts before them. They ought not to be compelled to do it. There was a great enterprise contending that the duty on a part of its product should be reduced and that it should be increased on another part of it in order to meet foreign competition. The committee did not bring the schedule in in that way, but the president of

that organization told me he had persuaded every man on the Finance Committee that the contention of his corporation was right and that the committee report was wrong. He also said that there were 42 Senators who had agreed that his contention was right in this particular matter.

We know that in two or three days after this bill came over from the House it was hurried into the Senate with no hearings. I submit that it is not giving the Senate a fair chance to consider this matter properly.

The country is interested in this bill. Senators may think it is not, but the country is watching this bill; the people are reading the newspapers; the newspapers are publishing what we are doing here, and you can not fool the people, for example, on the schedule on lumber; you can not fool the people as to the wire and nails schedule and the steel and iron schedule. They know about these schedules.

If we are to go out and defend them, it does seem to me that we ought to have in printed form, taken down under oath, the evidence of men who know about these things, and we ought not to be left to grope about in darkness, as we have been obliged to do. It does seem to me, without any reflection upon the committee—for I know they are well informed, or some of them are, at least—but I have regretted to observe that while this matter has been up for discussion here there has not been, as it seemed to me, quite the attention from the members of the committee that there ought to have been. Sometimes there has not been a quorum of that committee here on the floor.

There are only two or three Senators of that great committee who have volunteered, to say the least, to give us information upon this question, showing, as it does to me, that they themselves have not given to this subject the consideration which they ought to have given to it.

I have listened here to the discussion which has been going on. I have not said much. I do not know that I shall. This is the first experience I have had in making a tariff bill. I confess it is about the hardest job I ever had in the few years that I have been in Congress. I am a protectionist, and, as I said yesterday to the Senator from Georgia [Mr. Bacon], I do not propose to vote with respect to any single schedule for a rate which, in my judgment, is unjust to the American producer, but whenever I think a schedule ought to be reduced, in justice and fairness to the American people, I am going to exercise the privilege and the liberty, representing the people I do, elected as a Republican and a protectionist, to vote for that reduction. And if, perchance, the evidence shows that any schedule should be raised, I shall not hesitate to vote for that also.

But, as I have said, so far as I could learn, there has not been anybody heard before the committee to reduce rates, although the Senator now has even extended that; and, as I understand, there has not been anybody heard, except to file a written statement. I have tried to learn if on any of these schedules anybody was permitted to be heard who was in favor of a reduction of the rates.

There are people interested in the reduction of the rates on lead. I confess that after hearing the evidence for two days I was persuaded that the rate in paragraph 179 was right, and I voted for it. But there are people interested in the products of lead, going clear through; I know some of them have been to me and have said that all the manufacturers of lead and its products had organized and presented a solid front, and sent three or four persons to appear before the committee, so that they might unify the work and not come in great numbers to annoy the committee. Yet they were denied a hearing.

The man who builds a house and uses lead pipe in plumbing is interested in the price of lead. The man who builds a house and paints it is interested in the price of the products of lead. We ought to know about these things, and we ought to hear from the plumbers, for example, and the paint manufacturers, the men who use the lead and use the products of lead, in order to find out whether or not it is a just schedule.

Mr. GALLINGER. I will say to the Senator that we frequently hear from the plumbers. I hope he is not pleading their cause.

Mr. BURKETT. That is very true. I accept the pleasantry of the Senator from New Hampshire, and it is perhaps very well to throw it in here.

I am not criticising, because I know the wisdom of the chairman of the committee; and I suspect, because he has gone through these bills—four or five of them—that he does know about this schedule.

It seems odd to him. But everybody else ought to know as much about it as he does. Yet here are four or five thousand schedules, and those who have not been through these bills time and time again do want to know something about them.

I rose the other day to ask a question. It seemed to create a little impatience. I watched and discovered a little impatience on the part of the committee in disclosing the information. There ought not to be. We must have it. I appreciate the fact that the business interests are in a hurry about this bill, but let me say that the whole people of the country are a whole lot more concerned in having this bill right when it passes than the business interests ought to be in having it passed quickly. For one I would rather stay here until Congress convenes in December and get information enough to make the bill absolutely right than to be able to adjourn in three or four weeks and have to go out and explain it and apologize for it for the next five or six or seven or eight or ten years.

I did not rise, I will say, Mr. President, with the expectation of saying that much, and I apologize to the Senator from Kansas, but it does seem to me that we, at least those of us who do not know about these schedules, ought to be treated patiently. The committee should have investigated these matters and made a report on them. If that is not done, I am going to join with those other Senators who are determined to get those facts here. It was not done in the committee. I think the more appropriate place would have been to have collated the evidence in the committee. They acted as a referee to gather it, and they should present it as it should be. But when it has not been done, I am one of those Senators who are willing to stay here all summer, if necessary, to get the evidence so that we can frame the bill properly.

Mr. ALDRICH. Mr. President, if the Senate stay here until every Member of the body has a chance to satisfy himself as to every detail of the tariff bill and every industry in the United States and to hear and weigh the conflicting statements that are made on one side and the other of these propositions—the statements of domestic manufacturers, of the men interested in the industries of the United States, of the men who are interested in breaking down the interests of the United States and the industries of the United States to build up industries and interests in other parts of the world—if they stay here, even with the infallible judgment of the Senator from Nebraska, until every Senator is convinced upon this bill, they will not only stay here during this summer and until the first of the approaching December, but they will be here ten years from now.

The Senator from Nebraska suggests, What have the committee done? They have given sixteen or eighteen hours a day out of twenty-four hours—every Republican member of that committee has—to the consideration of this question. They have not only heard the men who wanted to reduce duties, not formally, not to put their testimony down, but they have been trying to inform themselves as best they could as to the industries of the United States and the effect which the changes in rates would have upon them.

I have no doubt we could have done better if we had had the services of the Senator from Nebraska; it is undoubtedly a great misfortune to the public that he is not a member of that committee; but we have done the best we could.

The members of the committee are not lacking, I hope, in intelligence or in patriotism. They have given to this work every hour and every minute of their time, and so far as their intelligence and their ability went—and I am not claiming for any member of the committee any unusual intelligence—they have presented to the Senate a result which, in their judgment, should be accomplished.

The committee is hearing people all the time. This town is full of people like the president of the organization which the Senator from Nebraska mentioned, but did not specifically name. The hotels in this city are crowded with people, with representatives of industries, of laboring men, of people who are engaged in all these various industries. There is not a day passing but that some deputation of people is here asking the committee to make changes in these schedules. Nine hundred and ninety-nine out of one thousand are people who are asking us to increase the rates contained in the Senate bill.

The Senator from Nebraska talks about the consumers and the interests of the consumers not having been represented before the committee. Who are the consumers in the United States? Is there any class of people in this country, except a very limited number, who are consumers and not producers? Are they better entitled to consideration than anybody else? The consumers of Nebraska are more interested in the preservation of the protective-tariff system than they are in any other public policy which is involved in this bill or before Congress. Their prosperity, if you please, which I have witnessed with pleasure, has been derived from the fact that they had in the United States a market for all their products. I have seen the products of Nebraska and of the other agricultural States mount year by year, month by month, day by day, until the in-

crease in the cost of everything in this country is owing almost entirely to-day to the increase in the price and the value of agricultural products. Those people have not been here, except as they are here by their representatives, demanding a reduction of duties.

I had a conversation this morning with a gentleman from North Dakota, the chairman or the president of a committee of an organization, the Society of Equity in the United States. What did he ask for? He said he represented the farmers in the West. He is a very intelligent man. What did he say? Was he seeking evidence to destroy the industries of the United States? No. He was asking for agricultural products a proper protection, and he said that what he wanted for himself he was willing to give to others.

The question which is now before the Senate is purely a local one. Only three or four States in this country are largely interested as to what the duties on lead shall be. The part of the country that I represent contains the great consumers of lead, because I take it for granted that three-fourths or nine-tenths of the lead produced in the world is consumed by the manufacturers of this country or any other country.

The Senator talks about painting a house. How much pig lead, which is now the question under consideration, goes into the painting of a house? I know, and the Senator from Nebraska ought to know by his own experience that white lead is largely composed of barytes, or some other adulterant. The ordinary white lead sold is composed of barytes or some other adulterant. But that is not the question. Take the question of lead. Whom are you to believe? I should like to ask the Senator from Nebraska whom he is to believe in these matters. There are contradictory statements made, as the Senator from Kansas has said.

The State of Idaho is immensely interested in the duty on lead. It is a vital question to those people. The State of Missouri is greatly interested in the lead question. The State of Colorado is largely interested in this question. The State of Utah is largely interested in this question. Is the Senator from Nebraska ready to accept the statements of the Senators from those States as to what the interests of their people are? I am; and I intend to vote here, representing as I do a constituency that, if they consulted their own interests alone, would be for free lead ores and free pig lead, in accordance with the judgment and the opinions and the knowledge of the Senators from Idaho and from Utah and from Colorado and from Missouri. I am not asking the Senator from Nebraska to consider the evidence of men whose sole interest in this question is to destroy the producing of lead in the United States in order that they may get profits from that destruction.

Mr. BURKETT. Mr. President—

The PRESIDING OFFICER (Mr. Root in the chair). Does the Senator from Kansas yield further to the Senator from Nebraska?

Mr. BRISTOW. Certainly.

Mr. BURKETT. The Senator from Rhode Island must not misunderstand my attitude with reference to this matter. So far as concerns being a protectionist, I will say that that has been measured by having been able to make protection speeches, even in New England, which satisfied the Republicans and the protectionists of New England. I am a protectionist. In my opinion, the people of this country are protectionists. I am certain that the people of Nebraska are protectionists. I have not any doubt of it. But, in my opinion, the people of Nebraska do expect us who represent those million and a quarter people to inform ourselves upon the schedules before we vote upon them.

The Senator from Rhode Island complains, perhaps, because I suggested that they did not have information such as they might have. Let me use one illustration, to which I am sure the Senator will not except, because he has very gladly accepted changed conditions.

Take the rates on wire, for example. As the bill is, it is \$2.70 a hundred on fence wire. After conferring with the Senator from Rhode Island—

Mr. BRISTOW. I should like to ask if it would be agreeable to the Senator from Nebraska to direct his remarks to the immediate schedule we have in hand, and let us discuss the wire schedule when we get to it.

Mr. BURKETT. I will not continue my remarks at all if the Senator objects; only I want to finish the sentence.

Wire carries \$2.70 a hundred. I had some conversation with the Senator from Rhode Island. He investigated the matter further, and I think he is—I will not say he is ready to agree, because I do not want to say that—but, as I understood it, after talking with the Senators from Pennsylvania and other Senators closely interested in those schedules, he has consented that that rate shall be reduced.

I simply use that as a little illustration to show that it is a schedule which could very easily have been inquired into and brought here properly and in a way that would have satisfied the Senate and not have provoked all this discussion.

Mr. ALDRICH. Will the Senator from Kansas yield to me? I do not want any misapprehension to exist as to the attitude of the committee upon any of these propositions. As I said before, we are making no claim to infallibility, and whenever it can be shown to the committee or to members of the committee that the rates which we have reported are wrong—that they are not properly adjusted, or too high or too low—the committee will gladly take whatever information is presented and make such changes in their recommendations as they may think desirable.

Mr. BURKETT. I have gone even further than the Senator has. He is too modest. I have agreed that the members of this committee are the best posted men in this body on this subject. The Senator, by reason of his long service and acquaintance with this particular subject, is absolutely, and should be, and necessarily is, the best posted man. I have said, through charity for him more than in complaint, that it is because he does understand these propositions so well that he fails to realize the importance of getting the evidence before us, that the rest of us may have the information he knows intuitively and from experience.

Mr. ALDRICH. If I have shown any indisposition to accommodate the desire of Senators to secure information, I am quite willing to apologize, because I have no such purpose. I am extremely anxious, as I think the country is, that this question shall be disposed of as quickly as possible, and I intend, having that in view, to impress upon the Senate the desirability of early action. But I do not have the desire to have any action taken in ignorance of all the problems that are raised by this legislation.

But I realize, as the Senator from Nebraska must, that it would be impossible for us to delay the consideration of this bill until every Senator can get all the information that is possible upon every one of the 4,000 or 5,000 or 6,000 items covered by this legislation.

Mr. BURKETT. Take the illustration the Senator used. I will get down now to the subject under consideration. Take white lead.

Mr. BRISTOW. Mr. President—

Mr. BURKETT. The Senator from Rhode Island says that the white lead we use is adulterated, mostly made out of iron products.

Mr. BRISTOW. Mr. President, I have been standing here for thirty-five minutes listening to this debate.

The PRESIDING OFFICER. The Senator from Kansas declines to yield further.

Mr. BURKETT. I will not keep the floor any longer from the Senator from Kansas.

Mr. BRISTOW. I should like to get through, and then I will yield the floor gladly.

Mr. President, these interruptions have detracted from the line of thought. If I remember right, we were discussing the merits of paragraph 180, with respect to the duty on pig lead. Referring to the attitude of the Committee on Finance, it seems to me that whenever the statements of any man are quoted which seem to disagree with the Committee on Finance, or whenever any evidence is submitted here that seems to bring in question the wisdom of their conclusion, it is not an answer to the facts submitted to attack the character of the man, and the controversy which has been going on for the last half hour does not touch the point at issue.

The question here is, Is the duty of \$12.50 a ton on pig lead too much when it costs only \$8 to change it from lead ore to pig lead? I should like to read further from the testimony of Mr. Brush in regard to this matter, who, according to the junior Senator from New York, seems to be a very competent and a very reliable gentleman.

In order to get the connection before the interruption, I will go back and begin in this paragraph a little before where I quit:

Mr. CRUMPACKER. And we have a differential to protect this smelter of \$4.50 more than the entire cost of the smelting process?

Mr. BRUSH. Yes.

Mr. CRUMPACKER. Do you think that is too high?

Mr. BRUSH. Yes, sir.

Mr. CRUMPACKER. Do you think we need any at all—any duty for smelting?

I should like, if I can, to secure the attention of every Senator to this statement made by Mr. Brush. I should like an opportunity to read this in full, because I want the Senate to get the full force and weight of the testimony, under oath, of a man who knows:

Mr. CRUMPACKER. You think that is too high?

Mr. BRUSH. Yes, sir.

Mr. CRUMPACKER. Do you think we need any at all; any duty for smelting?

Mr. BRUSH. I think there should be some. It costs very much more to smelt in this country than in Mexico. Why should there not be a protection?

That is the testimony of Mr. Brush. On page 2416, continuing, he says that he is a protectionist. He is a protectionist and seems to be interested in the welfare of the American people, and for one, if I may be permitted, I want mildly to resent the insinuation that any man who does not agree with the Finance Committee is not interested in the welfare of his country or the prosperity of the American people. The rest of us here may not be endowed with sufficient wisdom, and for one I know I am not—

Mr. ALDRICH. I have made no such suggestion or insinuation whatever. I was not alluding to the Senator from Kansas, but to the men who appear here and in their own interest demand reductions in this bill below the protective point. Those are the men I am referring to.

Mr. BRISTOW. I should like to ask the Senator from Rhode Island if he thinks Mr. Brush is that kind of a man. He is the man whose testimony I am now reading.

Mr. ALDRICH. I know Mr. Brush. He is the representative of a very large organization interested in the production of lead. The interests of that concern are perhaps equally divided between the United States and Mexico. If the American Smelting and Refining Company had the same rate upon lead ore and upon pig lead, they would control the lead production of the world, and they would be able to fix the price of lead for the lead producers of the Western States; and the Senator from Kansas, if he has any knowledge whatever of the subject, must know that.

Mr. BRISTOW. If therefore Mr. Brush is here as an interested witness, and free lead would give him authority to fix the price of lead in the United States and elsewhere, and he were consulting his private interests, he would want free lead, would he not?

Mr. ALDRICH. If he was looking after his own interests alone, possibly yes, as the State I represent and the people of all the eastern part of the country, and all the great manufacturing States and communities would be glad, if they were looking solely to their own interest, to have free pig lead.

Mr. BRISTOW. But Mr. Brush says he is not in favor of free pig lead. This is his language:

I think there should be—

Referring to Mr. CRUMPACKER's question—

I think there should be some. It costs very much more to smelt in this country than in Mexico. Why should there not be a protection?

Then continuing at the bottom of page 2415—

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Massachusetts?

Mr. BRISTOW. Very gladly.

Mr. LODGE. Do I understand the Senator to say that Mr. Brush, whom he is quoting with so much approval, stated that it costs more to smelt in the United States than in Mexico?

Mr. BRISTOW. Certainly.

Mr. LODGE. Yesterday the Senator was telling us with great energy that we smelted cheaper than anybody else in the world.

Mr. BRISTOW. I beg the Senator's pardon. I did not state that we were smelting in this country, or could, cheaper than in any other place in the world, upon my own authority. I stated that I had been advised that we could.

Mr. LODGE. The Senator stated yesterday that he had been so advised, whether properly advised or ill advised, and he was pressing that view on us. Now, he trots out his pet witness, and it appears that Mr. Brush says it costs more to smelt here than in Mexico.

Mr. BRISTOW. I beg to inform the Senator from Massachusetts that Mr. Brush is no pet witness of mine. He was a witness who was given a very elaborate hearing by the Committee on Ways and Means. I want to say that, in my opinion—which is not worth a great deal, I know, and I do not ask that it be given much weight on this question—we can smelt as cheaply in the United States as any place else, possibly—possibly, I will say—with the exception of some places in Mexico.

Mr. ALDRICH. Will the Senator permit me?

Mr. BRISTOW. Certainly.

Mr. ALDRICH. Yesterday the Senator was very much in favor of a cent and a half a pound on lead ore and a cent and a half a pound on pig lead.

Mr. BRISTOW. Yes, sir.

Mr. ALDRICH. To-day he produces testimony, which he says is reliable, saying that it costs more to smelt in this country

than in Mexico. What is the effect, then, of his suggestion? To destroy the smelting industry and the lead-producing industry in the United States and turn the business over to Mexico? That can be the only effect of his own suggestion made yesterday.

Mr. BRISTOW. Mr. President, I do not agree with the conclusions of the Senator from Rhode Island. I maintain, in my humble opinion, that the smelting industry, the industry which Mr. Brush represents, which the Senator from Rhode Island says can dominate the prices of the lead of the world, could smelt in the United States as cheaply as they could elsewhere. But I am quoting here the evidence of a man who knows what it costs to smelt lead, and I will continue reading.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. For a question, but not for a long discourse or argument.

Mr. SMOOT. Just for a correction. In my remarks to the Senator from Minnesota I stated that in Mexico lead was not refined, but I find here from Mr. Brush a statement that shows they have already started refineries in Mexico. That I was not aware of. On page 2416 of the hearings Mr. Brush said:

We thought that when the duty was placed on it by the Dingley bill that it was not necessary to make any difference between the duty on bullion and the duty on pig lead, but now we find that is not the case, because they have started to refine in Mexico, and they are refining lead in Mexico, and that refined lead is being marketed in New York at a price so that the American Smelting and Refining Company can sell their lead that is refined.

I simply rose to make that correction, because I was not aware that they had even started to refine in Mexico.

Mr. BRISTOW. The Senator from Massachusetts seems to be animated by the same spirit that has been manifest from the beginning of this discussion. He seems to be irritated if anyone suggests a possible change that might be wiser than that submitted by the committee.

Mr. LODGE. The Senator does me an injustice. I am not in the least irritated, and I am sorry that I annoyed the Senator by pointing out that yesterday he said we are smelting here at the same price and to-day he is producing a witness to show that it is cheaper in Mexico.

Mr. BRISTOW. I should like the Senator from Massachusetts to be as ready to agree with any evidence that may be presented by this witness that the duty which he helps fix at five-eighths of a cent on lead is too much.

Mr. LODGE. I do not take my opinions on this question from any one witness. I make up my mind as best I may on the whole evidence.

Mr. BRISTOW. That is a very good condition of mind to be in, and I think every Senator on this floor should imitate the Senator's attitude. I hope he will not close his mind to arguments that may hereafter be made, believing that up to this time he has absorbed all the information and wisdom that is available.

Now, Mr. President, I will read from page 2416, continuing the evidence of Mr. Brush. Mr. CRUMPACKER said:

What I am anxious to know—

And by way of interlineation here I may say that that ought to be, and I hope is, the attitude of every Senator here—

What I am anxious to know about is whether this \$30 a ton—

The duty on lead in lead ore—

levied for whatever purpose, no matter for whose protection it may have been imposed, is not sufficient to practically secure to the American refiner the control of the American market, and incidentally the American refiner and smelter.

Mr. CRUMPACKER, who has served an honorable career in the House of Representatives, asks the very question which has been in the minds of a number of us in studying this question—whether the protection on lead is not sufficient to protect the refiner, the smelter, and every other man engaged in the production of lead in our country.

I will read that again—

Mr. SCOTT. Will the Senator allow me to ask him a question?

Mr. BRISTOW. Certainly.

Mr. SCOTT. I should like to ask the Senator from Kansas a question. He voted for 1½ cents on lead yesterday, did he not?

Mr. BRISTOW. I did.

Mr. SCOTT. Now, will he allow me just a minute to illustrate my idea? I wish to know whether I am right or not. We will say that this is a sheet of iron, and there is a duty on it. Then we cut it into nails. It takes 1,900,000 of them to make a ton. Ought there not to be more duty on the nails than there is on the sheet of iron? Then, if we put a cent and a half on the

lead ore, when it is put into a refined condition for use, ought not the duty to be greater? Ought not the difference to be as near as we can suppose it should be—as it is fixed by the committee?

Mr. BRISTOW. I gladly give the Senator my view upon that point. I am a protectionist. I believe a duty that would make the difference in the cost of wages in the cutting of that piece of steel or iron into nails over and above what the cost is abroad should be made up by the protective tariff. If the Committee on Finance will submit statistics here that will be accessible and reliable throughout as to what the difference in wages is here and abroad, I will sustain the duty they place on every one of these schedules, if it can be measured by that standard.

Mr. SCOTT. As I understand the Senator, he thinks the difference between a cent and a half a pound provided here and the duty on the finished product is too great. Is that the Senator's contention?

Mr. BRISTOW. Certainly it is.

Mr. SCOTT. Has the Senator arrived at that conclusion by comparing the wages abroad with the wages in this country?

Mr. BRISTOW. The only testimony which Congress has before it to consider shows that this five-eighths of a cent a pound is \$4.50 a ton more than the entire cost of smelting in this country.

Mr. JONES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. Certainly.

Mr. JONES. Does the Senator take the position that there should be no differential at all between the rate on the ore and on the bullion?

Mr. BRISTOW. I have taken that position up to this time.

Mr. JONES. It seems to me that there should be some differential, and the question is how much it should be.

Mr. BRISTOW. I am free to say that I am trying to get at this matter, not from the standpoint of a partisan. It is additional information which I am trying to acquire. I might interject here that I think I am putting in as many hours in a day on studying this bill as any member of the Committee on Finance, under great disadvantages, I know, because of my limited experience and feeble capacity; but I am doing the best I can, and my mind is open to suggestion. If I made a statement on this floor yesterday which, after considering additional evidence between now and that time, I find was not justified I will not hesitate to change it. I will not arbitrarily stand here and defend a position of mine against what seems to be reasonable and conclusive evidence. I do hope before this discussion closes that the attitude of the members of the Committee on Finance will be the same.

Now, I should like to finish reading Mr. Brush's testimony, for it is very interesting.

Mr. CRUMPACKER. What I am anxious to know about is whether this \$30 a ton, levied for whatever purpose, no matter for whose protection it may have been imposed, is not sufficient to practically secure to the American refiner the control of the American market, and, incidentally, the American refiner and smelter.

I am coming to a part of this testimony which will be applicable to the question of the Senator from Washington.

Mr. BRUSH. Well—

Mr. CRUMPACKER. Would it not operate that way?

That is, would not the duty on lead ore be ample protection? That is the question that was in my mind yesterday.

Mr. BRUSH. It possibly might; but, as I say, the illustration is right here now that the lead that is being refined in Mexico is being sold in New York in competition with our American refined lead from Mexican bullion that is refined there in bond.

Mr. CRUMPACKER. How much differential do you think would be safe to remove?

That is, from the five-eighths of a cent.

Mr. BRUSH. I think that there should be a differential of one-eighth of a cent between the ore and the bullion.

The Committee on Finance has five-eighths of a cent. Mr. Brush says that there should be one-eighth of a cent between the bullion and pig lead.

Mr. ALDRICH. Will the Senator permit me?

Mr. BRISTOW. Certainly.

Mr. ALDRICH. The Committee on Finance did not take the judgment and opinion of Mr. Brush—

Mr. BRISTOW. I see that.

Mr. ALDRICH (continuing). But took the opinion of lead producers in Kansas, Utah, Idaho, and Colorado.

Mr. BRISTOW. It is quite evident that the Committee on Finance did not take the judgment of Mr. Brush.

Mr. ALDRICH. We thought that the lead producers of the State of Idaho and the other States I have mentioned furnished better testimony, and it was more important that the Govern-

ment of the United States should adopt it than that of the witness the Senator is now reading.

Mr. BRISTOW. The lead producers in the States have one controlling interest, have they not, and that is in the production and sale of lead ore?

Mr. ALDRICH. Undoubtedly.

Mr. BRISTOW. And their testimony would not be as good as that of a man whose sole interest is not the production and sale of lead?

Mr. ALDRICH. That depends upon the man as a judge. For me, yes; for the Senator from Kansas, apparently, no.

Mr. BRISTOW. No. We agree on one thing, I am very glad to say.

Mr. BEVERIDGE. May I ask a question?

Mr. BRISTOW. Certainly.

Mr. BEVERIDGE. I wish to ask whether the lead producers, whom the Senator from Rhode Island says he heard and whose judgment was accepted, did not also appear before the House committee?

Mr. BRISTOW. Certainly. Now, I will continue.

Mr. BEVERIDGE. And the action of the House was the result, after having heard both.

Mr. JONES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. Certainly.

Mr. JONES. I wish to ask the Senator from Rhode Island a question something along the line of the question of the Senator from Indiana. If these producers from Idaho appeared before the House committee—I have not had time, of course, to read all the testimony—I should like to know where the testimony can be found that there should be a greater differential than that fixed by the House.

Mr. ALDRICH. If the Senator will read the matter contained under Schedule C, he will find that not only the lead producers from the States I have mentioned, but that the chambers of commerce of five or six of the large cities in his own State, protested vigorously against any reduction of the present differential.

Mr. JONES. That may be true, but I have no doubt that the chambers of commerce did not look into the details on this matter very closely.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. BEVERIDGE. And it was after hearing all those, most of them lead producers, that the House took its action.

Mr. SMOOT. Oh, no.

Mr. BEVERIDGE. Yes; as shown by the hearing.

Mr. SMOOT. I would also call the attention of the Senator from Washington to the fact that some three weeks ago or more there was a convention of all the lead producers of all the Western States held at Salt Lake City, and a fair statement as to the cost of production, and so forth, of lead in all the lead-producing States was made and sent here to Congress. I presented it and had it printed in the RECORD. The Senator can find it in the RECORD.

Mr. JONES. Does it go into detail and analyze the subject?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. I yield to the Senator.

Mr. JONES. This is the testimony of one of the great corporations having practically full control over this industry. This gentleman goes into details and evidently knows his business. He says the only differential needed is about two-eighths of a cent. That is entitled, of course, to great consideration, and we ought to have some testimony of somebody who is equally acquainted with the business to controvert it. That is all I am trying to get at. I do not yet know how I am going to vote on this proposition, but I want to know what the differential ought to be. I want to protect the American laborer. I do not care anything about who owns this lead or these smelters and all that sort of thing. There is no question about a great difference in cost of smelting in Mexico and this country, and if five-eighths differential is necessary to maintain our wages, I want five-eighths cent put on. If it is not necessary, I do not want to have it put on.

Mr. SMOOT. Under Schedule C the Senator will find the testimony from C. E. Allen, of Utah, and quite a number of other people in relation to the cost of production and the differentials. I would refer the Senator to those statements.

Mr. JONES. I will look at it.

Mr. BRISTOW. I might say that from the very rapid examination I have been compelled to make, the testimony taken

was very largely in favor of a duty on lead ore. There was not nearly so much attention given to the differential as there was to the original duty on ore and the difference in the cost of mining in this country and Mexico. That is the burden of the testimony contained in this volume, as far as I have been able to examine it.

Mr. CLAY. Will the Senator from Kansas yield to me just a moment?

Mr. BRISTOW. Certainly.

Mr. CLAY. Mr. President, I heard something fall from the lips of the Senator from Rhode Island a few minutes ago that surprised me very much, and I hope that it does not apply to any other schedule in this tariff bill.

The Senator from Rhode Island said that in fixing the rates on lead the Finance Committee was governed by the lead producers. If the same rule was applied, the Finance Committee undoubtedly was governed by the refiners of sugar in fixing the duties on sugar; and if the same rule was applied, the Finance Committee was governed by the wishes of those manufacturing wool in fixing the tariff duties on wool. If we have reached the point—

Mr. ALDRICH. Mr. President—

Mr. CLAY. In one moment. If we have reached the point in this country where we are to listen simply to those interested in a particular schedule involved and to be governed entirely by the views entertained by a special interest in fixing a tariff bill, then the masses of the American people are not to be consulted.

I had presumed that the Committee on Finance, in fixing these different schedules, had listened to the testimony of every interest and had been governed by the testimony as a whole in fixing duties upon particular schedules.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Rhode Island?

Mr. BRISTOW. Gladly.

Mr. ALDRICH. What I said was this, and I reiterate it with all the emphasis possible for me to give the statement: That in considering conflicting testimony in this case between men who are mining and producing lead in this country, as to the relative cost of smelting or transmuting lead ore into lead bullion or pig lead, the committee have taken the judgment and the opinion and the facts of the men who are producing this article in the three or four or five Western States as against the testimony of men who are importing the lead and who are desirous for their own interest of breaking down this tariff.

That rule will be followed, so far as I am concerned, throughout this bill. If I am to consider the testimony and the conflicting testimony of various people, I shall take the testimony, if I believe it to be correct, as I do in this instance, of the American producer and his interest as against the testimony of the foreigner and his interest.

Mr. CLAY. If the Senator from Kansas will permit me just a word, I did not desire to criticize the schedule now under consideration. I am hardly able to understand how we can fix a duty of one and a half cents on lead ore and fix the same duty on the refined product.

But, Mr. President, I do not agree with the Senator from Rhode Island that in fixing a tariff bill we are to give particular force to the testimony of those who are deeply and vitally interested in advancing their own interests.

Mr. President, when we fix a tariff schedule, in my opinion, we ought to consider the needs of the Government first—how much revenue do we need to support the Government, the importations that come into this country, what would be a fair rate—and under no circumstances ought we to be governed by the individual views of simply those deeply interested in advancing their own fortunes.

Mr. ALDRICH. Now, let me make an application of the question. If the Senator from Georgia, having some interest that was vital to the people of his State, comes to me and says as a Senator: It is vitally important for the people of my State and all of its interests that certain rates should be placed upon certain articles—if there were cases of that kind, does the Senator expect that I would not believe him and believe the reputable witnesses whom he could produce as against somebody else who had an antagonistic interest?

Mr. CLAY. Mr. President, the two Senators from each State are presumed to represent every interest of that State. They are presumed to consider what is just and fair to every interest in that State. The Senator from Rhode Island ought to give great weight to what a Senator says about a particular schedule relating to his State. A Senator does not represent the lumber interests solely of his State. He does not represent

the textile interests simply of his State. He represents the agricultural interests, the textile interests, the lumber interests, and every other interest, and he is responsible to his constituents. There is quite a difference when a Senator makes a request in regard to a schedule relating to his State and a particular person representing a particular business. There is quite a difference in the two propositions. In the one case the Senator represents the entire interests of his people and is presumed to be impartial. In the other instance the party appearing represents his own interest; he is trying to advance his own financial interest and is not responsible to a constituency. He represents no one except himself.

Mr. BRISTOW. Mr. President, if Senators will now let me continue to read this paragraph until I am through, I will be greatly obliged, because then you will get the full weight of Mr. Brush's testimony in regard to this important matter. Then I will listen to any interruptions.

Mr. SMOOT. Before the Senator starts, I should like to read—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I wish to call the attention of the Senator from Washington [Mr. Jones] to page 2444, where the question of what the American miner was paying is answered. It is the testimony of Mr. Brush. He was speaking of the Mexican miner. Then Mr. Randell asked him, What is the price to the American miner?

Mr. BRISTOW. Mr. President, I beg to state that we are not discussing the duty that should go on the mine product.

Mr. SMOOT. It is not the mine product.

Mr. BRISTOW. We settled yesterday that a duty of $1\frac{1}{2}$ cents should go on lead ore.

Mr. SMOOT. Right in this connection I want to say this is not the mine product. Mr. Brush says:

The price to the American miner is whatever the New York price is. At the present time it is 4.30.

That is lead. It is not ore. So whatever the New York price is of lead it is paid to the American miner, no matter what it may be.

Mr. BRISTOW. I wish he did get his part of it, but I very much doubt if he does.

Mr. SMOOT. That is right.

Mr. BRISTOW. Mr. CRUMPACKER continues:

Would it not operate that way?

He is referring to whether there should be any differential whatever in favor of pig lead. Mr. CRUMPACKER's suggestion was that \$20 per ton ought to cover all protection, and he asked that question of Mr. Brush, and Mr. Brush said:

Mr. BRUSH. It possibly might; but, as I say, the illustration is right here now that the lead that is being refined in Mexico is being sold in New York in competition with our American refined lead from Mexican bullion that is refined there in bond.

Mr. CRUMPACKER. How much differential do you think would be safe to remove?

Mr. BRUSH. I think that there should be a differential of one-eighth of a cent between the ore and the bullion, and one-eighth of a cent between the bullion and the pig lead.

Mr. CRUMPACKER. It is now $1\frac{1}{2}$ cents on the ore?

Mr. BRUSH. Yes, sir.

Mr. CRUMPACKER. And you would add one-quarter of a cent; that is, one-eighth for smelting and one-eighth—

Mr. BRUSH. For refining.

Mr. CRUMPACKER. Making the total duty on the refined product one and three-fourths, instead of two and one-eighth?

Mr. BRUSH. Yes, sir; I think that that could be done without any complaint on the part of the smelters.

Mr. UNDERWOOD. You say you are in favor of increasing the duty on refined lead?

Mr. BRUSH. No, sir; I said I thought the duty on refined lead could be reduced three-eighths of a cent.

They both now carry the same duty. So by that means there would be a preferential between the bullion and the pig lead of one-eighth, whereas now there is not any.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. I do.

Mr. SUTHERLAND. The Senator from Kansas has been very patient in submitting to interruptions. I desire to submit a proposition to him right in connection with what he is now reading. Mr. Brush says, as I understand his testimony, that he thinks a differential of from one-eighth to two-eighths per cent would be sufficient between the lead in the ore and the pig lead.

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. Now, I want to ask the Senator from Kansas whether he is aware of the fact that the ores extracted from the mines in Mexico are of an entirely different quality from those extracted from the ores in the United States in

this respect: The Mexican ores are oxidized ores, coming from above the water level, while the ores in this country in the main are sulphide ores, coming from below the water level. That being so, it is necessary for the smelters in this country to roast the sulphur and things of that sort out of the ore before the American ores have reached the same stage as the Mexican ores. In other words, in the Mexican mines the heat of the earth and of the sun accomplish for those ores what the smelters in this country must do by the roasting process. The difference is that in the United States it costs from \$2 to \$3 per ton to roast those ores. That process is not necessary in the main in Mexico.

So right there, without taking into consideration the difference in the cost of labor at all, we have a difference between the cost of producing lead from the ores in Mexico and the United States of from \$2 to \$3 per ton. That does not mean \$2 or \$3 per ton upon the lead, or \$2 or \$3 per ton upon the ore. Let us suppose that the ore carries 50 per cent, as I did a little while ago, which is a very high estimate. The cost, therefore, of taking the lead from a ton of ore or from 2 tons of ore to get the 2,000 pounds of lead would be from \$4 to \$6. Put it at \$5 a ton. That advantage of \$5 the Mexican producer has in the beginning over the American producer. That \$5 per ton amounts of itself to two-eighths of a cent.

So Mr. Brush must be in error when he says that the utmost differential which is needed would be two-eighths of a cent, because two-eighths of a cent upon the highest grade ores treated under the most favorable circumstances would only account for this one difference, a difference in the quality of the ore in the two countries, while we must add to that the difference between the cost of labor in the United States and in Mexico; and everybody agrees that the cost of labor in Mexico is not to exceed one-fourth what it is in the United States, and it is less in Spain than it is in Mexico.

Mr. BRISTOW. Mr. Brush in his testimony has gone carefully into details, a large part of which I have read, in which he shows conclusively, in my judgment, to the mind of any fair and unbiased man, that it does not cost more than \$8 a ton to refine and smelt lead ore in the United States. What may be the cost in Mexico, I do not know.

Mr. KEAN. Let me ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New Jersey?

Mr. BRISTOW. Certainly.

Mr. KEAN. Did not Mr. Brush also say that that depended upon what was in the ore?

Mr. BRISTOW. Mr. Brush gave the details, and in his conclusion stated that \$8 would cover all the expense.

Mr. KEAN. But did he not also say that if it contains silver, it costs more to smelt it then?

Mr. BRISTOW. He did not say that.

Mr. KEAN. He did not?

Mr. BRISTOW. Not in this part which I have read.

Mr. KEAN. I am afraid the Senator from Kansas has not read all of Mr. Brush's testimony.

Mr. BRISTOW. In the part I read Mr. Brush did not make that statement; but in discussing this subject he added all the items of expense, and then said it was not exactly fair to add all of that to the cost of the lead.

Mr. WARNER. I wish to ask the Senator from Kansas a question as a matter of information, for if I gather correctly the position of the Senator from Kansas there could be but very little difference or question of a duty on lead ore; but does he assume the smelting cost of lead ore to be \$8 per ton, the cost given by Mr. Brush?

Mr. BRISTOW. But that covers all of the expense.

Mr. WARNER. For smelting, it is all?

Mr. BRISTOW. Yes.

Mr. WARNER. That would be a fair differential, would it not?

Mr. BRISTOW. Eight dollars? Certainly not. The entire cost of the operation. The differential, and the only differential, that can possibly be claimed is the difference in the cost in other countries and here; and if \$8 is the total cost here, there must be some cost abroad. Mr. Brush says two-eighths of a cent a pound will cover that difference.

Mr. WARNER. That is, one-quarter of a cent?

Mr. BRISTOW. It is one-fourth of a cent.

Mr. WARNER. In that the Senator from Kansas and I agree.

Mr. BRISTOW. I will declare my position on that later.

Mr. WARNER. I do not wish to improperly interrogate the Senator from Kansas.

Mr. BRISTOW. It is not done improperly at all; but I want to explain my position.

Mr. WARNER. Has the Senator looked into the question of the wages in Mexico in comparison with the wages received by wage-earners in his State and mine?

Mr. BRISTOW. Oh, yes.

Mr. WARNER. I understand, of course, and the Senator knows, that in his State there are lead mines and zinc mines, particularly zinc mines now.

Mr. BRISTOW. And smelters.

Mr. WARNER. There are also such mines in my State, and smelters.

Mr. BRISTOW. I want to say here—

Mr. WARNER. And the Senator is more familiar—

Mr. BRISTOW. If the Senator will permit me to make a statement in regard to that matter just now, I wish to say it has been referred to here that in my State there are lead mines and smelters. I am glad to say that there are; and there is no Senator in this Chamber who will listen more attentively and more earnestly than will I to their requests or guard more carefully their interests, but I can not consider them wholly. I must take into some consideration the people who live in that State who consume their products; and, in the end, come to some conclusion that will be just and equitable to both. That is the purpose I have. I do not assume the attitude here, as does the Senator from Rhode Island [Mr. ALDRICH], to listen only to men who produce these products and want to sell them to the consuming public in this country.

Mr. WARNER. I trust the Senator from Kansas did not conceive, as his remarks would seem to imply, that I was questioning the motives of the Senator. I certainly have said nothing that would justify such a conclusion.

Mr. BRISTOW. I should say here that my remarks were directed more to other remarks that have been thrown out than to the remarks of the Senator from Missouri.

Mr. WARNER. I should prefer if the remarks were not shot through me at some one else.

This morning I called upon the Census Bureau to ascertain something, if I could, with reference to wages paid in Mexico. I have had various statements, and I find this paper which seems to be admitted and regarded as authority by the Census Bureau.

Mr. BRISTOW. What bulletin is the Senator going to read from?

Mr. WARNER. I will read to the Senator what the Census Bureau says.

Mr. BRISTOW. But I asked what bulletin it was.

Mr. WARNER. It is not in a bulletin. I will give the Senator this paper and all the information I have. It is from the Report on the Transactions of the American Institute of Mining Engineers, volume 38—contains a description of the mining industries in Durango, Mexico, and states that the wages per day in 1906 were as follows, in Mexican currency:

Miners, 75 cents.

I think the Senator from Kansas will say that miners in his State and miners in my State get four times that sum.

Mr. BRISTOW. I hope so.

Mr. WARNER. I think we will agree on that.

Laborers, 37½ to 75 cents.

The Senator, I know, will agree with me in expressing his sympathy for any laborer in the lead mines in his State or in mine who should be compelled to work for even double the wages paid the peon in Mexico.

Machine drillers, \$1.25.

My information is—I do not state it as absolutely correct—that machine drillers, the skilled laborers in this country, get from \$4 to \$5 a day.

Shift bosses, \$1 to \$1.25.

I just give this information at this time because I understood the Senator was through.

Mr. BRISTOW. No; I am not yet through.

Mr. WARNER. I am glad the Senator is not through. I wish to hear from him further.

Timbermen and carpenters, 87½ cents; hoistmen, \$1.25; engineers, \$1; firemen, 62½ cents.

I have merely wished to suggest these figures to the Senator personally. I think that the smelter is possibly better able to take care of himself than the miner; but I fully agree with the Senator that I am here, first, for the fellow-citizen who delves down into the earth. It is, however, of little benefit to him to give a protection on the crude metal coming in here unless you protect the market in which the metal itself when refined is to be sold. Therefore it has occurred to me that these differentials here were substantially correct. I am not an expert on the question, and have no interest other than that of the Senator in seeing that absolute justice is done.

I thank the Senator.

Mr. BRISTOW. Mr. President, the statistics which the Senator from Missouri has read relate to mining, and not to smelting. We settled the mining question yesterday by giving a duty of a cent and a half a pound, which, according to the judgment of the Committee on Finance and the Committee on Ways and Means of the House, was ample protection, and, in my judgment, it is ample protection. I voted for it, not because I felt that it was not excessive, but because I wanted to be on the safe side, so as to protect the wages of the men who work under the ground and who handle this ore against the competition about which the Senator from Missouri has just read to us.

Mr. WARNER. I fully agree with the Senator from Kansas, if he will pardon me—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. WARNER. I fully agree with the Senator from Kansas when he says that, if there is any question about the matter, he solves that question in favor of the laboring man in the mines.

Mr. BRISTOW. Certainly. Mr. President, this is a different question. I have been inclined to believe, and I may say I came here this morning with the intention of advocating a flat duty of 1½ cents on bullion, pig lead, the same as on ore, and of agreeing with the House committee. I am not wholly clear in my mind now that that is not the wisest and best thing for us to do. But I must admit that the testimony of Mr. Brush, supplemented, as it has been by the statement of the junior Senator from New York [Mr. ROOR] as to his character, has made an impression upon my mind; and possibly, to be on the safe side, we might give a slight differential. Here is a man, according to the testimony of the Senator from Utah and others, who owns smelters on both sides of the line, who knows; and being an honorable gentleman and a truthful man, as we are told, having the experience which enables him to judge wisely, having no interests as against one position or the other, who says that, in his judgment, there ought to be in fairness and justice one-eighth of a cent more on lead bullion than on lead ore and one-eighth of a cent more on refined lead than on crude bullion. I am free to say that that has made an impression on my mind.

Further, in the consideration of this subject, I want to say that my purpose is as nearly as I can to get at what is just. There are other witnesses here from whom I might read who confirm this statement, but I do not want to weary the Senate or take up its time. I simply say that, in my judgment, to sustain the committee and vote for five-eighths of a cent, or four dollars and a half a ton more than the entire cost of smelting here, is in the interest of the smelters of this country wholly, and against the interests of the consumers. So I can not vote for it, and will not.

I want to refer to a remark which the junior Senator from Iowa [Mr. CUMMINS] made the other day. I do not like to disagree with him, for I have more confidence in his judgment on many things than I have in my own; but if this bill does not fulfill the pledges of the Republican party in the last campaign after it comes from the conference committee I, for one, do not intend to vote for it. Rather than have a bill that does not keep good faith with the American people, I would send the tariff question back to them and fight it out for two years longer. Then there would be a House of Representatives and a Senate here which would give the consumers justice and at the same time do justice to those who consume the products that are produced.

Mr. CARTER. Mr. President, from the day this debate commenced, up to this hour, or within the hour, we have constantly heard very severe criticism of the alleged failure of the Senate Committee on Finance to furnish us with specific information. It has been alleged that that committee was derelict in its duty in that it failed to hold open hearings, take testimony, examine, cross-examine witnesses, and have the record published for the benefit of all Senators. I am not an apologist for the Committee on Finance, but I can not permit this criticism to go further without expressing my sincere thanks to the committee for having saved the Senate from the infliction of an extended record of public hearings.

A stranger in these premises or a citizen reading the RECORD in a remote part of the country would infer from statements made here every day that the Senators who are called upon to vote for this or that schedule are expected to blindly follow the committee without any means at all of informing themselves at first hand with reference to the merits or the facts. For the benefit of this distant citizen, I think it important that the facts should be known.

In the wisdom of the founders of the Government it was thought proper to vest in the House of Representatives the right

to initiate all legislation intended to raise revenue. The taxing power can not be invoked by the Senate in the first instance. Having jealous regard for the people of all the country, without reference to the autonomy of the States, the framers of the Constitution wisely, I think, provided that all revenue legislation should originate in the House of Representatives. That being the court, then, of primary jurisdiction, this tariff bill was framed there.

Anticipating an extraordinary session of Congress and knowing that the changes in the Ways and Means Committee of the House would be slight, that body, with rare devotion to duty, undertook in the Congress preceding this to do a portion of the work of this Congress. Last December the Committee on Ways and Means assembled with regularity from day to day in their offices in the new building of the House of Representatives. The committee was then, as it is now, composed of Representatives of all sections of the country and every shade of thought represented in that great body. But four changes in all have occurred, as I understand, in the committee from the time it took testimony up to the present: Mr. Watson, of Indiana, and Mr. Bonyng, of Colorado, were replaced by Mr. CRUMPACKER, of Indiana, and Mr. CUSHMAN, of Washington, on the Republican side, and Mr. Granger, of Rhode Island, and Mr. Cockran, of New York, were replaced by Mr. BROUSSARD, of Louisiana, and Mr. HARRISON, of New York, on the Democratic side. The committee that reported the bill was therefore substantially the committee that conducted the hearings.

That committee was one of very remarkable ability. I was present on many occasions while the hearings were in progress, and I can, as can most Senators here, bear witness to the presence on all occasions of the full membership representing both the Democratic and Republican sides. Witnesses were cross-examined as I have never observed witnesses cross-examined before in any congressional inquiry conducted in this Capitol. There was no collusion between the Democratic and Republican membership on that committee. This subject was thrashed out with an intelligence and a zeal quite remarkable to behold.

The hearings are recorded in 12 large volumes such as this [exhibiting]. These 12 volumes have over 10,000 pages all told, there being 8,425 pages of closely printed matter, without any reference to the index or any side matter at all. On the subject now under consideration any Senator may obtain the full measure of light given out by the hearings on the subject of lead.

The first volume, which is known as "Schedule A," relates to chemicals, oils, and paints, and that subject is covered in 579 printed pages. If there is anything relating to chemicals, oils, and paints as to which that volume does not give sufficient light, I will be glad to have the Senator who is sitting in darkness disclose the particular point of ignorance from which he suffers.

The next volume is Schedule B, which relates to earthenware, and glassware. All these volumes, I may say parenthetically, are well indexed. This volume [indicating] on what is commonly called "the crockery subject" has 1,310 closely printed pages, explaining pro and con the reasons for a duty on crockery and the reasons why there should not be a duty on crockery. Every fact and circumstance relating to crockery that could occur to the mind of any man interested for or against a duty may be found in these 1,310 pages. Yet Senators are in darkness on the subject of crockery! Volume C relates to metals and manufactures of metal.

Mr. KEAN. That is a little thicker volume.

Mr. CARTER. It is a little thicker than the others; and the Senator from Minnesota [Mr. NELSON] advises me that there are two volumes dealing with that subject, and I observe that he is correct. There is part 1 and part 2 of Volume C. This book seems to contain pages extending—and the volumes seem to be consecutively paged—from page 1313 to page 2170. The second part extends from page 2171 to page 2834. As the volumes are of nearly the same size, I will not hereafter undertake to give the number of pages in each particular volume.

But these two volumes deal with metals and manufactures of metals; and I want to say to the Senators who have no information on the subject of metals or the manufactures of metals that they may with profit read these two volumes, and if they are still in darkness, then call on the Finance Committee for more light, or they can get the desired light by going back over a series of government publications known as "Mineral Resources of the United States," published every year for the last twenty-five years by the Government, which deals with all classes of mineral production in this country, giving the market price, the volume of production, the places of sale, the consumption, and so forth. The lead question is dealt with in the

current volume of the Mineral Resources in quite a number of pages, giving all the facts that seem to be essential to a very clear and distinct understanding of that matter.

Mr. President, the next volume to which I refer deals with Schedules D and E.

Mr. BEVERIDGE. What is Schedule C?

Mr. CARTER. Schedule C, as I have suggested, is embraced in two volumes, and deals with metals and the manufactures of metals.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Indiana?

Mr. CARTER. Certainly.

Mr. BEVERIDGE. It is in one of those volumes that the testimony given before the House committee on the subject now under discussion is contained, is it not?

Mr. CARTER. Yes, sir.

Mr. BEVERIDGE. I understood the point to be that the House, having, as the Senator says, so exhaustively considered this thing, anticipating it, indeed, by taking testimony long in the past and having that testimony printed, which, the Senator said, was all that could be had upon the subject, then, it being its constitutional duty, as the Senator pointed out, to originate this legislation, fixed the provisions that are found in the House bill.

It came to the Senate on the 10th of April, and was referred to the Finance Committee, who reported it back to this body, after one day's consideration, on the 12th of April, with the differential enormously increased, and without any further information laid before the Senate except that which the House already had.

Mr. CARTER. I am now engaged in advising the inquiring minds of the country and of the Senate, if there are any here, where information can be procured. But since the Senator has elected to bring up that particular point, I merely desire to make this observation.

As I understand, the House committee originally fixed the duty on lead in ore at 1 cent per pound. Subsequently, upon the very eve of reporting the bill, they changed the duty on lead in the ore to 1½ cents per pound.

Mr. BEVERIDGE. I know. I wish to ask the Senator from Montana a question right here.

Mr. CARTER. I understand the contention to be—

Mr. BEVERIDGE. I want to ask the Senator a question right here. Where does the Senator get that information? Does it appear in the House bill? Does it appear in the debates? Where does he get it?

Mr. CARTER. I get it from the luminous sources of information upon this floor. I have heard it often stated.

Mr. BEVERIDGE. I have heard it stated. But, further, if the Senate committee has more information than the House committee had, why is it not produced? That is fair, since there has been an enormous change.

Mr. BORAH. Mr. President—

Mr. CARTER. I yield to the Senator from Idaho.

Mr. BORAH. I was going to suggest whether it is not a fact that the report of the House committee shows the reasons for maintaining the schedule at 1 cent, while, as a matter of fact, the bill puts it at a cent and a half. That would show that the change must have been sudden.

Mr. BEVERIDGE. I do not know what the House committee report shows. The House committee fixed it at one and at the last minute changed it to one and one-half.

Mr. BORAH. But the report shows the reason why it should be at 1 cent, while, as a matter of fact, it came out at one and a half.

Mr. BEVERIDGE. So we have not information, but merely inference. But the question which has disturbed me from the start is that with the information before the House and what we have had here, with the House committee considering the subject for weeks and, as the Senator from Montana has said, for months, when the Senate committee got the House bill it in one day increased the differential enormously, and no additional information upon which the Senate committee acted has yet been presented to the Senate. That disturbs men who are—

Mr. HALE. Will the Senator from Montana allow me for a moment?

Mr. CARTER. Certainly.

Mr. HALE. The action of the Committee on Finance of the Senate was not of the precipitate kind that the Senator from Indiana indicates. The Committee on Finance in the Senate was at work day and night and Sundays upon the House bill as reported to that body, getting information of the different schedules, and spending days and weeks getting ready for its

report when the nominal and formal report of the bill should come from the House as the action of that body.

The Senator is entirely and absolutely wrong and without any conception of the situation when he says that in twenty-four or twelve hours after receiving the bill from the House the Senate committee concluded and reported it as though the whole thing was a subject of a few hours' consideration.

There is not a member of the committee here who does not know that our time was all engrossed, confiscated, everything else abandoned, while we considered the propositions, the schedules of the House bill, for weeks before the formal bill was presented, and there was no inconsiderate action on the part of the committee in twelve hours in reporting.

Mr. President, upon the other point, that nobody knows why it was on this schedule that the House changed at the last, if anybody will read the record of the House as shown in the CONGRESSIONAL RECORD it will be seen plainly and clearly how it was upon this schedule that at last the fundamental proposition of lead was changed and adopted by the House. The Senator from Indiana is impatient, because it is said the House did not have time to make the adaptation of the advanced processes of lead before it reported the bill. But that is true. The record shows that, and the Senator need not be impatient because the House did not take more time. It had that discretion and right, and there was a spur upon it to report so soon as possible, and the Senate committee has tried in the rates it reports and urges here to adapt the scale to the advanced industries of lead; so every proposition, beginning with the raw material, the manufacture, the labor bestowed afterwards upon the advanced processes, shall be met by an increased rate of duty. And that is all there is in this whole question.

Mr. BEVERIDGE. Will the Senator permit me just a moment further?

Mr. CARTER. Certainly.

Mr. BEVERIDGE. I think the statement of the Senator from Maine as to the Senate committee having been at work upon this matter for a long time, instead of for the day and a half that I indicated, is entirely fair. I was speaking of what the record shows. Of course, that would occur; but the committee was not appointed until about the 22d of March, and the bill came to the Senate formally on the 10th of April. So there could not possibly have been—

Mr. HALE. Twenty days.

Mr. BEVERIDGE. There could not possibly have been twenty days. That being true, this is the point which has interested me. The Senator from Montana has pointed out that all the information that could be collected upon this subject was collected by the House committee in its formal hearings. The Senate committee, whether it was considering the bill formally a day, or in reality for twenty days, made an enormous change in the differential. Of course I assume that they did that upon a larger consideration of the facts. The point is that thus far in this debate—and I have been amazed at it—there has not been one single additional fact shown to have been before the Senate committee that was not before the House committee. In other words, no new information upon the subject has been given to the Senate to justify the enormous difference in the differential. That is the point; and I think the Senator will concede that that is fair, as I conceded that the statement of the Senator from Maine is entirely fair. It is merely an effort to get at the facts.

Mr. CARTER. On that phase of the subject I have only one remark to offer. The Senate committee has repeatedly stated that in the exercise of its discretion in reviewing the testimony and the bill, light was sought wherever needed and facts were acted upon when they seemed to be sufficient to warrant action.

But I come now to Schedule E, relating to molasses and sugar. The fact is this volume contains two schedules, D and E. The first, known as "D," "wood, and manufactures of," takes up about one-half of the volume, and then comes Schedule E, dealing with sugar, molasses, and manufactures of. This immense volume not only contains printed matter calculated to elucidate the subjects treated of, but the photographic art has been invoked for the purpose of more clearly setting forth the points.

Schedule F, a very large volume, closely printed, deals with tobacco and manufactures of tobacco, and also embraces Schedule G, which deals with agricultural products and provisions.

The next volume, Schedule H, deals with spirits, wines, and other beverages. Schedule I deals with cotton and manufactures of cotton. I imagine that every fact deemed essential to a full knowledge of the relations of these articles to the revenue may be found in these volumes. They embrace, as you will perceive, illustrations for the purpose of showing the comparisons between the cost of different articles which are to be

made subject to duty or placed on the free list, as the case may be.

The next volume contains all important facts relating to Schedule K—"wool, and manufactures of wool." Schedule L, "silks and silk goods." This is a very large volume, and I have no doubt whatever covers everything relating to the subjects named. I have read over that portion of it dealing with the subject of wool and woollens, and can bear witness to the fact that it contains much information that I never dreamed of before, and it contains everything I ever knew anything about on the wool question.

This volume "M," relates to "pulp, papers, and books." This I have perused to some extent and with much profit, and I have no doubt the Senators desiring information on this phase of the tariff may find it of record in this volume.

Schedule N covers sundries. It takes up the things that are not embraced in the great subdivisions. It is a large volume, dealing, I observe, according to the heading, with hides, diamonds and pearls, jewelry of different kinds, furs, the Fur Skin Dressers' Union, safety fuse, Coast Manufacturing and Supply Company, ammunition of different kinds, matches—Diamond Match Company, its relation to the trade; corundum ore is likewise disposed of; dressed dolls, toy steam engines, ivory articles—dolls and toys, billiard balls and piano ivory; cork of different kinds—manufactures of cork, natural cork; bituminous coal, and indeed all subjects not embraced under the general heads.

But still comes a book, dealing expressly with the free list, another volume, covering all items on the free list, containing the reasons, no doubt sufficient in every case, for placing the article on the free list.

Now, in order that everything might be covered, they prepared an appendix. Finally, this lead question, which has been argued here by many Senators who have not referred to the appendix, is treated in this volume. If Senators will turn to page 7962 of this appendix, they will find lead and lead products treated of extensively in a brief submitted on behalf of a committee of independent manufacturers of lead products, located in New York City. That is quite an extensive brief, and doubtless a very able one.

Mr. President, in these 10,000 pages contained in these numerous volumes to which I have referred will be found more information on the tariff than any Senator in this body will ever read. I ask any Senator to state what good purpose would have been subserved by a duplication of these volumes? These volumes were prepared by the branch of the Congress charged with the duty of initiating tariff legislation, and, of course, the House is a part of the Congress. The Senate is not to make the tariff bill. It is the Congress which is charged with the duty of passing a bill, and is it possible that because information was gained at the south end of the Capitol and reduced to writing it may not be used at the north end of the Capitol by persons engaged in work here? By what process did the information lose its efficacy as a source of enlightenment coming through the splendid Rotunda intervening between this and the other Chamber of the legislative body?

Mr. President, the plaintive cry for hearings is simply a ridiculous proposition, and I hope we will hear no more of it. The House of Representatives did not contend—

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Indiana?

Mr. CARTER. I should like very much to close. I do not intend to detain the Senate very long on this subject, and I will be glad if the Senator will wait until I am through.

Mr. BEVERIDGE. Very well; but I wanted to ask the Senator whether in eighteen days the Finance Committee could have read 10 volumes, containing 10,000 pages.

Mr. CARTER. As I stated in the beginning, I am not an apologist for the Finance Committee, but I think every Senator ought to be fair in dealing with all Members of the Senate and with the members of all of the committees of the Senate. I know, as the Senator from Indiana knows, that from the very day the House of Representatives began to take this testimony, he became a constant and careful reader of the reports as they were printed. They came daily to every Senator. They were available at all times. Every Senator who intended to cast a vote on the tariff question evidently took pains to inform himself, particularly on those items which were of vital concern to his constituents. The members of the Finance Committee could not be confined to the needs of their immediate constituents, because duty led to the consideration of the whole subject and the balancing up of the tariff bill.

Mr. BEVERIDGE. I do not criticize the Senate committee for anything it has done, except we want information where

there has been an enormous increase. But assuming that every Senator read every one of those 10,000 pages in their sections, the point is where a differential has been vastly raised, so far as has yet been shown merely upon the testimony before the House committee, what further facts were there to justify that raise; and that I think is the only question in various forms that Senators have put. That is a fair question; is it not?

Mr. CARTER. That is a fair question; and upon that question I am in entire agreement with the Senator from Indiana—that where a change has been made it is entirely proper for a Senator, who is without information, to inquire of the committee having the bill in charge as to why the change was made, for the committee and the Senate are but reviewing the work of the House.

Mr. BEVERIDGE. No; the question is broader than that. Here there has been a very great change, of which I do not complain at all if it is right, and I am sure the committee thought it was right. It is based upon information, but it has not been shown whether the committee had any different information from that which the House committee had. That is the only point.

Mr. CARTER. I intend to show sources of information which I think will be ample support for the statement of the Senator from Maine.

The House of Representatives, in preparing this bill for consideration there and here, because the information is equally available at both ends of the Capitol, not only printed these large volumes to which I have referred, but also a comparison of the House bill and the present law.

Any Senator is enabled by turning to any paragraph in the bill quickly to ascertain the state of the law at present, the proposed changes, if any, offered by the House and the proposed changes, if any, offered by the Senate committee, and for purpose of convenience blank pages are left so that Senators may make notes in order to refresh their own memory in the future consideration of the subject.

We have also this volume—Notes on Tariff Revision, House of Representatives. I think it is due that dignified and honorable body that fair credit should be given for the remarkable industry and intelligence manifested in presenting all the facts to the Congress and the country on this great question now pending.

Mr. HALE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Maine?

Mr. CARTER. Certainly.

Mr. HALE. Is it not a fact in the observation of the Senator from Montana and every other Senator here that whenever a suggestion has been made that the Committee on Finance should furnish to the Senate in documentary form information as to schedules, as to the relation to the present law, information as to importations, as to the product of the United States of different items covered, the committee has made haste, without objection and without demur, to furnish in the readiest, most clearly to be understood form to the Senate every item called for by this natural thirst for knowledge upon the subject that possesses the Senator from Indiana and every other Senator here?

Mr. BEVERIDGE. Will the Senator from Maine permit me?

Mr. HALE. The action of the committee has not been in any way the action of a committee dealing with a subject in a hole, in a corner, or in a private way. I have seen five or six revisions of the tariff in my service, and I have never seen, and no Senator has ever seen, so much information brought to the service of the Senate as the Committee on Finance has brought to the service of the Senate in the discussion and consideration of this subject.

Mr. CARTER. I never have known, I will state to the Senator from Maine, an instance where the committee has resisted any resolution calling for information calculated to throw light on any point whatsoever—

Mr. BEVERIDGE. That is correct.

Mr. CARTER (continuing). Or any matter of detail connected with it.

Mr. BEVERIDGE. That is true of any committee.

Mr. CARTER. That is true, it goes without saying, of any committee.

Mr. BEVERIDGE. It is its spirit.

Mr. CARTER. The committees of the Senate are but convenient arms of the Senate appointed for doing work that the Senate, as a large body, can not do as effectively acting as a whole.

Mr. HALE. But the Senator forgets that in this vast subject the Committee on Finance has a much larger burden, and its furnishing of information to the Senate is a great deal wider

realm than any other committee has to deal with. I stand here for the committee as saying that in every case where any information has been sought by the Senate or by any single Member of the Senate, the Committee on Finance at once, without complaint and without hindrance and without delay, has proceeded to place upon the desks of Senators the information sought for.

Mr. CARTER. There is no question about that, and I think no Senator will raise any question as to the correctness of the Senator's statement.

Mr. President, to resume, the House of Representatives, desiring to have this subject presented in the most lucid and convenient form, not only had these great volumes prepared, containing the testimony of witnesses, the briefs of lawyers, the statements of manufacturers and of consumers, statements of different persons who sought a hearing in that open forum, recorded here in an available way, open to every Senator and, indeed, any citizen who desires to call for a copy in order to inform himself on any branch of the subject or on every branch of the subject. This volume to which I refer, known as "Notes on Tariff Revision, Prepared for the Use of the Committee on Ways and Means, House of Representatives," has been printed and given to the country for its use. Of course it was printed with special reference to the needs of Congress.

In addition to the 10,000 pages embraced in the hearings, this volume, replete with useful information, put in most terse and effective form, contains 953 pages.

Thus substantially 11,000 pages of printed matter came to the Senate. The Senate committee is blamed for not having duplicated 10,000 of these pages. These pages are the product of a series of hearings which commenced early in December and continued with unremitting zeal throughout the whole winter and well into the spring. The expense of the hearings need not be mentioned, because the subject is so great that any sort of expense which would be approved would be inconsequential.

But it is safe to say that these hearings cost the United States no less than a quarter million dollars, and probably when the printing bills and all bills are paid in connection with the hearings a half million dollars will not meet the total expense connected with the work.

The Senate committee is criticised here daily for not having duplicated this work, calling the same witnesses to say the same things, and at a point only 1,000 feet distant from the place where they were examined and for the use of the same parliamentary body, because it is for the use of Congress that these examinations were conducted.

Before this bill came over here, it is only fair to say that the Representatives of the people had it in charge, and I have here the first volume of the Record containing the debate in the House of Representatives and showing the various steps in the consideration of the bill.

The first volume contains 359 pages. The next volume contains arguments, and speeches on the question of the tariff as wise and as strong as have ever been made in the halls of Congress. These debates run along to the extent of 1,249 pages. In the 1,249 pages there is naught else to speak of save a discussion of the tariff, so that when you add the pages together the Senator in quest of information, or the citizen desiring to be informed, must read 12,000 pages before blaming anybody for lack of material.

But, Mr. President, that is not all. We have here, printed at the cost of the Government, "presented by Mr. ALDRICH and referred to the Committee on Finance, Senate and House tariff Reports of 1888, 1890, 1894, and 1897 on the Customs Tariffs," a volume containing 482 pages. We have here "Imports and Duties, 1894 to 1907," a volume of statistics containing just 1,000 pages, all dealing with imports and duties, containing a comparative statement of imported merchandise entered for consumption in the United States, by articles, naming the different things, with the quantity, the value, the duty collected, and average price, the rate of duty, and the equivalent ad valorem rate of duty on each article.

Mr. HALE. That is a very embracing volume to the searcher for knowledge. What is the date when it was presented to the Senate?

Mr. CARTER. It ends up with the fiscal year 1907. It was printed at the close of the last Congress. It is up-to-date material, of course.

Mr. HALE. So it has been before the Senate the entire time, not only of this session but of the previous session?

Mr. CARTER. Oh, yes.

Mr. HALE. And open to the inspection of every ardent seeker for information?

Mr. CARTER. The volume has been accessible to everyone, and any Senator can procure a copy of the volume and send

it to any constituent whom he may deem better able to analyze it than himself.

Mr. HALE. Or possibly read some of the pages himself. I am glad the Senator is showing that there has been no lack of information here. There has been too much information.

Mr. CARTER. It has been bewildering.

Mr. HALE. Yes; a little bewildering.

Mr. CARTER. In 1909 we had compiled by the Director of the Census for the Committee on Ways and Means of the House of Representatives as a part of the literature on this subject a book entitled "Imports, Exports, and Domestic Manufactures, Arranged According to Paragraphs of the Tariff Law of 1897." It was printed at the Government Printing Office in the year 1909. It contains information with reference to practically every paragraph in the tariff law standing on the books at the present day.

Mr. HALE. That is not a bulky and unusable volume, but a pamphlet that any Senator ardently searching for information could put in his overcoat pocket and carry home and study at night at home.

Mr. CARTER. Undoubtedly a Senator could do that. It was probably intended to facilitate reading on the street cars, between his home and the Senate.

But, Mr. President, that is not all. We have here, in order to enlighten a Senator, a book containing 131 large and closely printed pages on the estimated revenues of the Government, a comparison of House bill 1438 with the present tariff law, and tables showing the rates and the duties collected under the law of 1897 for the year ending June 30, 1907, and also rates and estimated revenues under the proposed bill as reported from the Committee on Finance of the Senate, with possible amendments. This was printed April 12, 1909. It was prepared under the direction of the Committee on Finance of the Sixty-first Congress, and it has been available since the 12th of April, and is now available.

Mr. HALE. It was printed four weeks ago.

Mr. CARTER. Mr. President, in 1908 it was known throughout the country that this tariff legislation would be a predominant issue, regardless of the party which might be successful in the election of 1908. Both parties had agreed that the tariff schedules should be revised, and preparatory to this great and serious work upon which we are now engaged the Secretary of the Treasury caused to be compiled what is known technically as a "Compilation of the Customs Laws and Digest of Decisions Thereunder Rendered by the Courts and Boards of United States General Appraisers." This volume contains 1,383 closely printed pages, and I am now inclined to think that many a Senator has called for information here who never heard of that book before I read its title.

The Senator from Maine has aptly suggested that every call for information has been cheerfully met. I will not take time to read the message of the President of the United States on the subject, but some one desired to know something about iron ore produced and manufactured in the United States. A resolution was presented, and here is the report of the Secretary of the Interior in response to the inquiry, containing the estimates made by the Geological Survey. The Amounts and Values of Certain Imports is a response by the Secretary of the Treasury to a resolution of the Senate for information, and that contains the information disclosed by the books of the Treasury Department. Some other Senators desired to secure information respecting manufactured products which were sold in foreign markets at lower rates than in America. All that that Senator had to do was to present a resolution. It was passed by unanimous consent, no one objecting, and the resolution was forwarded to the Department of Commerce and Labor, and here is the response of that office, in a letter dated April 12, 1909.

Then some Senator desired to know something about the duties, taxes, and concessions on sugar in certain foreign countries. He presented a resolution at the desk, the matter was forwarded to the Secretary having the subject in charge—this happened to be the Secretary of State—and immediately comes back a complete answer to the resolution as presented by the Senator.

But I will not go over the various inquiries that have been made from time to time. They are too numerous. But unhappily, Mr. President, I fear that a Senator is too often satisfied with a response, and rarely ever pays much attention to the subject after the response comes. I have not heard any of these matters referred to since the resolutions of inquiry were adopted. Possibly we may in the course of the discussion as the Senators reach the paragraphs find use for the information furnished by the departments. Here it is by the hundreds of pages all relating to this tariff bill.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. CARTER. I do.

Mr. GALLINGER. Just a word, Mr. President. I want to say to the Senator that, in response to a resolution I submitted, which the Senate passed, calling for information as to export prices as compared with domestic prices in foreign countries, a voluminous reply has been received from our representatives abroad, every word of which I have read with great gratification, because it shows that the custom that is to a slight extent prevalent in this country of selling goods abroad at less than at home is universal throughout the world, as Senators will discover if they read that document.

Mr. HALE. By other nations.

Mr. GALLINGER. By other nations.

Mr. CARTER. The trick of selling shop-worn goods at any price obtainable is current all over the world.

Mr. NEWLANDS. Mr. President—

Mr. CARTER. I will conclude in a moment, and will then yield the floor to the Senator from Nevada.

Mr. NEWLANDS. I should like to make a suggestion just now.

The VICE-PRESIDENT. Does the Senator from Montana yield?

Mr. CARTER. I yield for a question. I will not occupy the time of the Senate much longer. I have already occupied the time of the Senate much longer than I anticipated.

Mr. NEWLANDS. I observed that the Senator was very ready to yield to interruptions upon the other side.

Mr. CARTER. I yield readily now, after the suggestion of the Senator.

Mr. NEWLANDS. I wish to make a pertinent suggestion. The Senator has called attention to these tomes of information that are available regarding the tariff—reports and bills and testimony, and matters of that kind. I wish to ask the Senator whether he has ever considered the question as to whether a body organized as the Senate is and a body organized as the House is, with 92 Members in the one and about 400 Members in the other, are so organized as to be able to enter into the exhaustive inquiry concerning the production and the importation of over 4,000 articles and to arrive at a conclusion regarding questions involving almost every phase of economics concerning each particular article?

Can not the Senator or the party which he represents suggest some machinery, some sifting process, by which a capable body—a board, a commission, or the Executive himself—can sift all these matters and either act upon a rule fixed by Congress, that rule expressing, when the Republican party is in power, the policy of that party, and when the Democratic party is in power that rule expressing the Democratic policy, in such a way that by a mere inquiry and a computation proceeding according to the rule they can record their judgment, which will have the effect of law?

It seems to me that the statement of the Senator regarding all these sources of information and this vast mass of information as being available to each one of 92 judges here and over 400 judges in the House does not meet the question at issue at all.

Mr. HALE. Will the Senator from Montana let me ask the Senator from Nevada a question?

Mr. CARTER. I yield to the Senator from Maine.

Mr. HALE. The Senator from Nevada has disclosed now another source of embarrassment. The committee has been blamed, business has been interrupted, votes have been delayed, because it is alleged that we have not enough information and the committee should furnish more. But the Senator from Nevada has found, as he thinks, an unanswerable objection in the fact that the Senate has too much information, that it all ought to be sifted through another tribunal—

Mr. NEWLANDS. Mr. President—

Mr. HALE (continuing). And that the information is so vast, so wide-reaching, so inexhaustible, so embracing, that it confuses the minds of Senators. The Senator wants an intermediate process and an intermediate tribunal that shall take this embarrassment away from the Senate and sift the information and analyze it and boil it down and report it to the Senate.

Mr. President, the two objections answer each the other. The Senate is trying to do business. The committee is trying to do business. We are now only in the early stages of the first schedule of this great tariff-revision bill. We have been three weeks listening to complaints because information enough has not been furnished. Now the Senator says there is too much information.

My impression is that the Senate will not be disturbed in the end by either of these suggestions. I am sure the committee will not be disturbed. There never was at the beginning of a revision of the tariff so vast a field of information reported and disclosed for the information of the Senate as is furnished to-day in the early stages of our consideration of this bill. I am very glad that the opportunity has been given to show that there is no lack of information.

Mr. President, it has taken two hours here to-day to furnish a list of the documents and papers and embodied information that the committee has furnished to the Senate for its information. The mere list which the Senator from Montana has grappled with, and for which I thank him, shows that this complaint that the committee is going on in a rough shod way without furnishing information has no foundation whatever.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Indiana?

Mr. BEVERIDGE. I wish to ask one question, if I may.

Mr. CARTER. The questions have become so involved that I fear the Chair will forget that I have the floor, and I will therefore ask Senators to permit me to conclude, as I shall occupy only a few moments more.

I will not go further, Mr. President, in naming books and documents, and specifying the number of pages each contains. I could make exhibit here throughout the afternoon of the stores of information available for every Senator, for every editor, for every writer, and every business man and consumer with reference to this tariff. We have here large sheets containing the items of each schedule, the duty existing, the duty proposed by the House bill, the duty proposed by the Senate amendments, the amount of revenue now collected, the prospective amount of revenue, the amount of imports, and the estimates of home consumption. One document alone constitutes a liberal education on the subject of the tariff for anyone desiring to get information direct and effective.

As the Senator from Minnesota [Mr. NELSON] wisely suggested to me, here is the Duty on Imports—a volume replete with information, and I could pick up volumes on tariff like a prestidigitator in all directions, until a dray load of books gotten out for the enlightenment of the Senate and House could be put on exhibition here in this Chamber.

Mr. SCOTT. Will the Senator let me ask him a question? How long does the Senator think it would take, reading eight hours a day, for a Senator to read all those volumes?

Mr. CARTER. Any Senator in the Chamber would strike before the job was completed, regardless of pay. [Laughter.]

Mr. President, in addition to the volumes here marshaled, it must be borne in mind that we have in every considerable commercial port of the civilized world consular agents and officers engaged day in and day out in acquiring, tabulating, and transmitting information on these questions to the Government of the United States through the Department of Commerce and Labor.

Every fact collected and transmitted to that department is at the call of any Senator desiring to avail himself of the mighty stores of information there collected. Ignorance of the subject can not be pleaded in the presence of such extensive facilities for acquiring accurate information.

I have made these observations, Mr. President, not because I have felt that they were needed here, but to the end that in remote sections of the country persons may not be misled by the oft-repeated charge that a tariff bill is being considered in darkness and ignorance, and that nobody can get any information with reference to it at all. How can any Senator repeat that suggestion in the presence of these mute volumes available to give forth their treasure stores of information?

Mr. President, the Senator from Nevada suggests that we are too numerous to think [laughter], and that we ought to delegate the task to a commission. That Senator seems to believe that if we think at all we think inaccurately and reach conclusions that are ill advised and little justified.

Mr. President, undoubtedly the Senator is correct in saying that there should be a commission to digest the matter in these books; but we have a commission. I will put the Ways and Means Committee of the House of Representatives and the Finance Committee of the Senate of the United States against any equal number of men on this earth as experts to digest information and place it before the Congress in convenient form. Where will you get a body of experts superior in judgment, possessed of more accurate knowledge or equal experience? The Senate and the House, through their committee organizations, undertake, and wisely, too, to boil down these various elements of knowledge into definite form for ready use in the discussion of matters upon this floor.

The reports of the committees of the Senate and House are concise and clear. If they are wrong, we must suffer from one of the infirmities of our system of government and let experience, which may be costly, correct our erring judgment. We will do the best we can.

It has been frequently suggested here with reference to all kinds of questions that commissions be appointed. I must say that, on general principles, I do not fancy the policy of delegating congressional power or abdicating congressional functions. I have an abiding faith, sir, in the wisdom of the founders of this Government of ours, and let it be understood that they did not intend that the American people should be governed by commissions.

They intended that the people should be governed by law; and they designated in the organic law itself the machinery by which laws could be placed upon the statute books and kept there and construed while they remained. Every departure from the intention of the fathers as written in the Constitution will weaken this Government of ours in the minds of the people, where it should be strong; it will weaken it in the confidence of the world, where it should be respected.

I have great faith in a commission made up of the picked men from 391 districts in the United States. I think the House of Representatives is a splendid commission. Some 14,000,000 electors in 391 districts "pick the best man in each district and send him down to the Council Chamber, the House of Representatives, to constitute a commission." We call them "Representatives."

The Senator from Nevada [Mr. NEWLANDS] would call them a "commission." That is the greatest commission the world has ever known representing any body of people, and it is selected in such a manner that its selection guarantees, with unerring certainty, a representation as good as the people, and no better. As the people improve, the Congress will improve.

Then the legislatures of the respective States are called upon to select representatives for the States in this Chamber, where it is contemplated that state equality should always be preserved, just as numerical representation is preserved on an equal basis at the other end of the Capitol. I have faith that these representatives of the States, large and small, whether in wealth or geographical area, will always be as good as any commission that can be picked by the President of the United States or by anybody else.

We are beginning to suffer in this country from a bureaucratic reign. There is a germ which quickly lodges in every bureau and creates a consuming thirst for power. Every bureau you create begins at once to spread its tendrils out, seeking additional jurisdiction, until it absorbs everything in sight, and then quarrels for more. We witnessed here within a few years a meager appropriation of \$5,000 to start a bureau, and within five years we appropriated \$5,000,000 to keep it going for one year, and that is only the beginning.

Mr. President, I believe in this Government being maintained, as nearly as may be, in its original simplicity; and I have no sympathy with, nor respect for, the new doctrine of duplicating Congress eternally in the form of commissions. From another point of view, the appointment of commissions to do our work is an abdication, which, according to current view, absolves Congress from responsibility.

The Congressman returns to his district, responsible in truth for what some commission did that he approved, but he says: "I could not help that; the commission did it." Thus that direct accountability to a constituency will be avoided by the side-stepping scheme putting it over to a commission. The Government will do that through a commission which Representatives would not dare to do in the open light of day, if put in direct responsibility to the people for their action. We have witnessed acts of tyranny that I thought Congress was responsible for, but disclaimed the responsibility, things done by somebody authorized by Congress to make rules and regulations, rules and regulations to-day applicable to the American people, which would be, if read in this Congress in the form of a bill, abhorrent to the sense of decency of the people of these United States.

But I am stepping apart from the purpose I had in the beginning, being drawn off by the suggestion of the Senator from Nevada for a commission.

Whenever the Congress of the United States proves faithless, whenever the Government as conceived by the fathers proves inadequate to the purposes they intended to accomplish, then let us call for a receiver or appoint a commission or do what we can to change the system into one more efficient. Until that day does come I believe it is proper and wise to hold every Senator and Representative up to a full, clear, and unmistakable

accountability to the country and to his constituency for each and every legislative act.

But, apart from that, Mr. President, I now leave this pile of books, which might be raised to that ceiling if I had but an hour to collect the documents, as mute witnesses to bear testimony to the sources of information which are available to every Senator and to every inquirer who desires to be informed on the tariff.

Mr. LODGE. Mr. President, the House bill came here to the Finance Committee after the members of that committee, for some four months, had had the opportunity day by day of passing through the large mass of information and misinformation which was presented at the hearings of the Ways and Means Committee. The committee took the bill up as soon as it was reported to the House and worked on it for three weeks. Literally night and day they labored on the paragraphs as to which they were already somewhat informed, and they tried to give due consideration to each one of them. If any paragraph was of exceptional difficulty, it was referred to a subcommittee. After they had considered the information before the House and such information as they had themselves gathered, they formulated the result in the bill now before the Senate.

Judging from this debate, Mr. President, there seems to be some misconception about the powers of the Senate. The Constitution gives to the House of Representatives the power to originate bills to raise revenue, but the Senate has the right of review. Yet it has been said here, over and over again, that the House, with this information before it, decided so and so, and why have you decided otherwise, as if our only privilege was to affirm the House action. We have decided otherwise in some cases because our judgment was otherwise, just as we do on an appropriation bill. We have differed, with every deference to the wisdom of the other House, and no one feels it more than I or has greater gratitude for their labors than I. On the same evidence the Senate might well decide that a paragraph was faulty or that a rate was too high or too low. We have the same power of revision that they have of original judgment.

I will take as an example this precise paragraph which is under consideration. It is obvious on a first reading of paragraph 179 that the classification is a mistake. It is a mistake to put the article in its lowest form on the same rate of duty as the same article advanced a stage in manufacture. Therefore it became the duty of the committee to change the classification, and they did so.

The classification being settled, the next question was the question of rates. The House, starting originally with the duty of 1 cent on the ore, based its differential on that amount. At the last moment they changed it to a cent and a half, but changed none of the differentials. The Senate committee merely restored the differential which existed when the rate was a cent and a half on ore. The committee did not increase the differential. The differential based on 1 cent and the differential based on a cent and a half are very different things. We did not increase the differential on a cent rate, but we made the differential correspond to the rate of a cent and a half. It may be that the original rate is too high or too low, and that, therefore, the differential is too high or too low, according to the rate on the original material, but the Senate have just decided that the rate on the original material is correct. They have just voted in favor of the old rate. We do not propose to change or increase the differential. We keep the differential which was established for a cent and a half rate in the act of 1897 after long consideration, because we think that is the proper differential.

Mr. President, yesterday the Senator from Georgia [Mr. BACON] said that when anybody on the other side referred to the question of what revenue would be produced by a duty, he was met with laughter and jeers on this side. The Senate Finance Committee considered the revenue aspect of all the duties which were imposed. What we smile at is not the bringing forward of the question of how much revenue a given duty will yield. That which excites our mirth is the ease and regularity with which a protective duty becomes a revenue duty when it crosses the borders of certain States.

There is one other point, Mr. President, that I want to make, which was alluded to by the Senator from Rhode Island [Mr. ALDRICH] this morning, and in regard to which the Senator from Georgia yesterday spoke—the oppression that is being visited on the consumer. I am not going to waste any of our much-wasted time on that old worn-out, exploded fallacy that the tariff duty is added to every article of domestic products which is bought or sold. I merely wish to touch upon this myth of a consuming public which is being oppressed for the benefit of a

few manufacturers and operatives. Where is this separate and isolated public of consumers? The people who are consumers only, who neither toil nor spin, are so few in this country that they are negligible and ought to be neglected. This is a Nation of producers. The Senator from Georgia referred to the manufacturing and mechanical pursuits as if those were the ones especially nurtured at the expense of this mythical public of consumers.

Mr. President, I am afraid he forgot that according to the census of 1900, the last census, now nearly 10 years old, there were 7,085,000 persons earning wages in mechanical and manufacturing pursuits and industries which are all covered by the duties of the tariff law. That indicates a population supported by these industries of from thirty to thirty-five million. Who took those 35,000,000 people out of the ranks of American citizenship? Who separated them from the rest of the American public? They are a pretty large portion, Mr. President, of the citizenship of the United States. When did they cease to be consumers?

According to the same census, there were 10,000,000 people engaged in agriculture, 1,200,000 in professional pursuits, 5,500,000 in domestic and personal service, 4,778,000 in trade and transportation, and 7,000,000 in manufacturing and mechanical pursuits; in all, 29,000,000 people in gainful trades and occupations earning money. Take the people they support, the mouths that those 29,000,000 workers feed, and you have practically the whole population of the United States.

I come from a great manufacturing region—the region of New England and New York and Pennsylvania and New Jersey and Delaware. We are full of manufacturing industries, built up under the system of protection. It is too late in the day now to talk about whether that system was wisely or unwisely adopted. It has been practically the policy of the United States, with some fluctuations, some ups and downs in rates, since 1816. Under this system great industries have been built up. If you undertake to wreck that system at a blow, if you deal harshly with all this complicated machinery of business and production, you will throw that vast manufacturing population into distress and misery. Ten years ago more than 30,000,000 people were dependent on those engaged in manufacturing and mechanical pursuits. They are your market, I say to the wheat-growing States of the West; they are your best market, a market that can not be taken from you, for a large part of all that you raise and all that you produce.

This debate has arisen upon the question of the production of lead. My State has no lead mines and no smelters; it is not interested in lead production. If I were to be guided solely by a narrow, local, selfish interest, I should say, cut these duties down or make lead free, if you please, so that those engaged in the mechanical industries can buy these products a little lower; but in my belief, Mr. President, nothing could be worse for my people than to indulge in any such plan as that. The prosperity of Idaho and Utah and Missouri and Colorado is part of the prosperity of my people. I want to see them have the same protection which I demand and which my constituents demand wherever protection is needed for our industries. The great mechanical and manufacturing industries of this country can take no other position; and those who attempt to break them down run the risk of bringing on a business disaster to which nothing that we have ever had would be comparable. You can not shift a system like this in a minute. Why, Mr. President, at the bottom of this system lies the industrial independence of the United States.

The Senator from Georgia [Mr. BACON] talked to us about the cotton growers, and he said there was no protection on cotton. The prosperity of the cotton grower, the prosperity of the South, is probably more keenly desired by the State I represent in part than that of any other portion of the country, because upon the South's great staple our greatest industry depends.

But, Mr. President, the economic system which the Senator from Georgia was advocating yesterday, was tried in the South. They always resisted the protective tariff in the old times; and although they could not prevent the adoption or the continuance of the policy, they refused to take advantage of it. They left their rivers unused and their mines unopened. That great and splendid country was devoted to the production of a single staple. The dark hour of trial came upon them. Never was greater valor, greater military skill, greater self-sacrifice, greater devotion shown to any cause than the southern people showed to their cause; but when the lines of the blockade drawn around their ports were tightened and the foreign trade, on which they had depended, and on which they would have had the whole country depend if they had had their way, was cut off, they could not clothe or supply their armies; they

could not get medicine; they could not make paper or iron or steel or pottery. They were in a state of helpless industrial dependence. The worst enemy that the South had to meet in that great struggle was their own economic weakness.

Mr. President, we have built up under this policy of protection the industrial independence of the United States. It was the dream of Alexander Hamilton. It has been fulfilled. We have built it up and to-day the South, thank heaven, is taking advantage of it and is beginning, at least, to get her share of the great riches which nature has given to her. But to go to work and tear it wildly down on an idea of general reduction, for the sake of reduction here and there, would be disastrous. The only way to deal with this question is to move cautiously and carefully, to deal with each paragraph as it comes up and on the merits of each case as it is presented to us.

The pending bill, as a matter of fact, is full of reductions from end to end, but nobody ever pledged me to a revision downward any more than to a revision upward. What the Republican party pledged itself to, and so far pledged me, was to a tariff revision made on protective lines. I supposed that we would come here in this body and in the other House and revise the tariff for the best interests of the whole country—agricultural, industrial, and every other; that if it were wise to reduce a duty we would reduce it; if it were wiser to keep it the same we would keep it the same; if an industry needed, and the facts showed that further protection was needed, we would give it that further protection. As a matter of fact the revision generally is downward. That, Mr. President, has been the attitude of the Finance Committee. They make no claim to infallibility; they may easily be wrong on many points, but that which I have stated is the line of action that they have followed, and they believe that what the country most wants is action on the bill—intelligent action, of course, and right action, so far as it is given us to act rightly. The worst thing that could happen would be to have the bill fall in chaos and confusion. That would bring on continued agitation, continued suspense, business stagnation, and financial disaster. We want an intelligent measure of revision. I believe it is contained in this bill, and will be finally embodied in it as it comes out of its last stage, the conference between the Houses.

Mr. NEWLANDS. Mr. President, the Senator from Montana [Mr. CARTER] has piled upon his desk testimony, hearings, tables, and reports as evidence that there were sources of information within reach of this body that would enable each Member, if he pursued such sources, to vote intelligently. I wish to state that there is a great difference between having information within reach and information in our heads. There is no subject upon which we can not get information. The world is full of information. The essential thing is to obtain that information in such digested and intelligible form as to enable men acting in a deliberative body of this kind quickly to absorb it and act upon it. What I contend is that whilst the sources of information are available, whilst it is possible that each Member of this body could, by individual study covering a year, two years, five years, or ten years, master the details connected with the production, the importation, and the duties upon every article covered by this tariff, it is utterly impossible for a body of this kind, distracted by its other duties, to give the time and the attention that will enable it to act intelligently upon this question.

I do not underrate the capacity of this body. If you were to organize a board for the purpose of inquiring into all the economic questions connected with the tariff question, I would say that you could not better fill that board than by the selection of men who have had the training and experience that the men in this body have had; but I insist that it would require the absolute absorption of their lives in that work, and they would not have time for the various occupations which engage the attention of every legislator.

Mr. President, I am not so dissatisfied as to the information as I am regarding the methods which are pursued in gaining that information, which, it seems to me, are entirely faulty. The Senator from Montana declaims against turning over legislative functions to a commission and calls it an abandonment of legislative functions by those to whom they are intrusted. Well, the power to regulate commerce is a legislative function. Included in that power is the power of fixing rates of transportation. Has the Congress of the United States taken upon itself the duty of fixing those rates, of obtaining all the information that is essential in order to enable it to fix rates, of having hearings before it of parties complaining of unreasonable rates, and of acting upon each individual rate? We can imagine how this body would be absolutely swamped with accumulated business if it attempted to exercise the function directly of regulating the rates in interstate commerce.

What legislative function is this Congress now pursuing? It is pursuing the legislative function of establishing the revenue; and in connection with that, under the policy of the Republican party, it is carrying out the function of regulating foreign commerce, for it seeks not only to pass a revenue act, but also, in connection with it and as a part of it, to pass an act limiting foreign importations, and in many cases prohibiting them. So it is at the same time exercising two functions—one the power of establishing revenue, the other the power of regulating foreign commerce. Why, then, if Congress in its wisdom has seen fit to turn over to a special tribunal the power upon complaint to determine whether a transportation rate is unreasonable, to condemn that rate after a hearing, and to substitute a reasonable rate for it, prescribing the rule for the action of that tribunal, I ask why it can not organize a tribunal also that shall inquire into the reasonableness of an existing duty imposed by this Congress as a matter of regulation of foreign commerce intended to limit or to prohibit foreign importations?

Why can it not and why should it not give such tribunal the power to inquire into the reasonableness of the duty and make its report to Congress for its action, and why should it not even go further, as it has done in the case of the regulation of interstate commerce, and give it power to condemn an unreasonable duty which upon the evidence presented before it is clearly unreasonable under the rule laid down by Congress itself?

So far as I am concerned, I believe that the sole issue before this Congress is not the question whether we shall have a protective tariff, is not the question whether we shall have a purely revenue system of tariff, but the question is the reduction of excessive duties. That is what the Republican party stands committed to and that is what the Democratic party stands committed to. That is all that the Democratic party can hope to accomplish, organized as Congress is to-day, and that question involves inquiry; it involves hearings; it involves testimony; it involves complaint by some party injuriously affected, just as every proceeding before the Interstate Commerce Commission involves, first, a complaint on the part of the shipper; second, a hearing of the facts; and, third, a determination of the facts by a tribunal organized by Congress for that purpose.

Did Congress abdicate its functions when it organized the Interstate Commerce Commission? If it did, then you must admit that the power of Congress can only be properly exercised by doing the work that the Interstate Commerce Commission does. What would that involve? It would involve a system here under which every shipper could complain of the rate charged and in which every community could complain before this body of discriminations against its trade and its business and its commerce. It would involve oral hearings before this body and testimony in these complicated cases, and it would involve a decision in each case fixing by law the rate to be charged in interstate commerce.

Were you prepared to enter upon the exercise of this function? Would you have believed that you were discharging your legislative duties had you done so? Congress acted wisely and sensibly and with a due regard for the economy of its own time when it organized the interstate commerce tribunal, fixed the rule for its procedure, gave the parties complaining the right to appear and to be heard, gave the commission the right to put witnesses under oath and take their testimony, and gave them the power to condemn a rate that was oppressive and to substitute a reasonable rate for it, that rate following the rule laid down by Congress that the rate should be reasonable.

Has not the creation of that tribunal, has not the turning over of that function of fixing the rate to that tribunal, been sanctioned by the highest court in the land? Does the Supreme Court call it an abdication of the legislative functions for us to turn over to the Interstate Commerce Commission the inquiry regarding a rate alleged to be unreasonable or oppressive, and the condemnation of such rate? And here upon this bill we are proposing to act with relation to foreign commerce, just as the Interstate Commerce Commission does act with reference to interstate commerce. You claim the right under the Constitution either to limit foreign importations or to prevent foreign importations, with a view to protecting the home market against the competition of foreigners and with a view of preserving to your own people the home markets of the country, and the question has arisen whether or not the duties so fixed are not oppressive—oppressive to the importers, oppressive to the users and consumers of the goods in this country; and I ask whether it is not the wise and the judicious thing for this Congress to organize some tribunal, preferably, I should say, a department of the Interstate Commerce Commission itself, enlarging its functions so as to make it cover not only interstate but foreign commerce; so that in each department these great questions can be considered—the question of interstate commerce in the one, and the

question of foreign commerce in the other—and giving the foreign-commerce commission either all the powers over duties now possessed by the Interstate Commerce Commission over transportation rates or, at all events, giving it the power of hearing a complaint as to an oppressive or prohibitory duty, the power of giving a decision as to the reasonableness of the duty, and then leaving to Congress the final action, which either will or will not make its decision operative in law.

Mr. President, I know that commissions are unpopular in this body. I know that they are unpopular in the House of Representatives. As I said the other day in reply to the Senator from Rhode Island, he is an adept in inventing phrases that will bring a movement into disrepute; and to-day, if you want to bring a movement into disrepute, you have only to refer to government by commission. So I prefer not to use that term. Organize a board. Do not call it a commission, for I would not raise the prejudice of those who think by the brand instead of according to principle.

These commissions have become unpopular here because the late President of the United States became unpopular with Congress; because the President, realizing that Congress was inert and apathetic in the pursuit of reform of existing abuses, in the exercise of his power of recommendation regarding legislation organized commissions, purely voluntary commissions, without statutory authority, for the purpose of advising him as to his recommendations.

Whilst we may not all agree with the conclusions which he reached, based upon the recommendations of those commissions, I have the temerity to say that in the main the work done by those commissions was good work, that the men selected for their functions were able men, that the conclusions which Mr. Roosevelt presented in messages to Congress will ultimately be recorded in the statutory law of the country, and that this unpopularity of the term "commission" has arisen from the unfortunate antagonism that arose between the President and Congress, for much of which, perhaps, the temperament of the President was responsible.

Mr. President, I beg the Members of this body not to be carried away by this prejudice against government by commission. Let them realize to-day that there is one commission organized by Congress that is acting progressively and wisely and conservatively in the interest of reform. There is not a man in this body, whether opposed to the Interstate Commerce Commission at the start or not, who does not realize that that tribunal is one of character and dignity; that its decisions are received with approval throughout the country; that the railroad managers themselves are beginning to realize that it is an important thing to them that they should have a quasi judicial tribunal of character and dignity between them and the great public, who may at any time be moved by passion or revenge; that the surest protection against legislative violence and spoliation is the organization of a tribunal of high character and dignity, acting under the sanction of an oath, with all the traditions belonging to it, between the public upon the one hand and these great corporate interests upon the other.

If we constitute a tribunal of that kind, with jurisdiction over foreign commerce, just as the present commission has over interstate commerce, and with power to determine, or at all events to inquire into the reasonableness of these duties, then you will have scientific inquiry substituted for the sporadic investigation of Congress upon this subject, necessarily sporadic, occurring in spots here and there, and only in times of excitement and of tumult.

Mr. President, so far as I am personally concerned—

Mr. CLAPP. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. NEWLANDS. Certainly.

Mr. CLAPP. If the Senator does not object, I should like, not to ask one question, for perhaps it may require a number of questions to develop to its last analysis the suggestion. If the Senator does not care to be interrupted, I will take it up at some other time.

Mr. NEWLANDS. I am very glad to listen to any suggestion.

Mr. CLAPP. Would the Senator contend for a tribunal—call it what we may—that should in itself determine the rate of duties to be imposed?

Mr. NEWLANDS. I will say as to that, that I would go as far as Congress has the constitutional power to go in that direction.

Mr. CLAPP. That is the question. Now, with reference to the Interstate Commerce Commission—

Mr. NEWLANDS. But I wish to add to that, what I stated before, that the practical question is the reduction of excessive

duties. That is the question I want to submit to that tribunal. I do not wish them to go into a general discussion of the tariff at all.

Mr. CLAPP. No.

Mr. NEWLANDS. But simply upon complaint as to the excessiveness of a particular duty—

Mr. CLAPP. Exactly.

Mr. NEWLANDS. Under the policy of the party, whether it is the Republican or the Democratic party, to determine whether a duty is excessive under the rule established by law.

Mr. CLAPP. And without opposition to the plan or thought, but rather to see where we could go, I am asking these questions.

Mr. NEWLANDS. Yes.

Mr. CLAPP. In the case of the Interstate Commerce Commission, Congress can first lay down a rule that rates must be reasonable. Then it can authorize the commission, not primarily to make the standard of a rate, which must be made by Congress, namely, that it must be reasonable, but to ascertain the fact whether or not a given rate comes within that rule. While it is finally complicated when it gets to the court as to what under that policy would be a reasonable rate, still there is something of a guide to go by. Now, that guide rests upon an absolute prohibition found in the spirit of our Constitution, that we can not require the carrier to carry for less than a reasonable rate.

When we come to the question of importing goods from a foreign country, there is no such limitation on the power of Congress. Congress can absolutely prohibit the importation. The importer can not be heard in any court to say that a rate of duty is too high, because back of it all lies the arbitrary power of Congress.

Now, Congress would be obliged to fix some rule, and that rule would either have to be, it seems to me, with reference to a revenue or a protective system. Either Congress would first have to enact a maximum and minimum tariff, which I think would be comparatively free from difficulty, so far as any legal complication arises, or it would have to try to lay down a rule as the legislative declaration, leaving it to the commission to ascertain whether given facts came within that rule or not. They could not lay down a rule as to revenue except they fixed a limit absolute in itself, because so far as the reasonableness of the revenue rate went there is no limitation on the power of Congress. If they undertook to lay down in advance a rule as to the reasonableness of a tariff rate based upon the proposition of its being a protective tariff, it seems to me it would lead to a question that no commission and no court could ever settle by any preannounced rule.

We can do it here because we have the power to do it. We may err. We may go beyond the mark of wisdom. There is no appeal to any tribunal from that. But it does seem to me that the Senator meets this condition, that he has either got to relegate this to a preannounced tariff for revenue, where there would be no limitation except such as Congress in a percentage rate would establish, or if it leaves it to the limit of protection, it is involved in an uncertainty, where no court, which finally would have to review the action, could determine the reasonableness of that duty.

If the Senator's idea is that the commission should fix the rate, subject to review by the court, it seems to me he would be involved in that difficulty. I say that in all candor and friendliness, for I certainly am interested in the subject-matter of the Senator's discussion.

Mr. NEWLANDS. I will say, in reply to the Senator from Minnesota, that of course it would be absolutely unnecessary to have such a tribunal if the Democratic policy of a tariff for revenue only should prevail. The creation of a revenue law is a very simple matter. You have only to refer to the Walker tariff to see how simple it is—schedules, some five or six in number—the first schedule fixing a duty of, say, 50 per cent, the second of 40 per cent, the third of 30 per cent, the fourth of 20 per cent, the fifth of 10 per cent, and then a free list, with enumerations of the various classes of articles under each schedule.

That is a very simple matter. It is purely the exercise of our legislative function of establishing taxes. But the Republican party is in power and is likely to be in power for some time, and even if the Democratic party should be successful four years hence in electing a President, it would be in the power of the Republican party, through its control of the Senate for a long period of time, to prevent it from passing a tariff bill based upon the principles of that party. So that in all probability we have a period of eight, possibly twelve, years under the protective system.

Now, then, both parties agree that all we can do is to reduce excessive duties. That is all; and the question is whether this legislative body is going to perform the work of inquiry inefficiently or whether it is going to do it efficiently, through servants created by law passed by Congress, and as to the extent of the powers that are to be given to such servants.

The Senator will agree with me, I think, that if Congress can frame the rule for action and can empower a tribunal to inquire into these excessive rates, condemn an excessive rate and substitute a reasonable rate, following the rule fixed by Congress, it would be desirable. I am not sure myself as to whether we could create a rule. I suggest, however, that the Republican party has in its platform declared its rule of action, the rule of action which governs the members of that party in the consideration of this tariff measure, and I do not see why they could not incorporate their rule in the statute. What is that rule?

That rule is that no duty shall be regarded as excessive which takes into consideration the difference in labor cost between the two countries, including a fair profit, on the average, to the American producer. It is claimed that, judged by that rule, hundreds of these duties are excessive, and you wish to make an inquiry into the fact whether they are excessive or not. Can you not declare in the statute the rule which you have fixed in your platform and which guides you in your legislative action, and can you not give that commission the power, pursuing that rule, to determine that a duty is excessive, and to reduce the duty to the amount called for by the rule?

But it is not necessary to my contention that we should go so far, and I do not believe you will go so far. All I can say is that, so far as I am individually concerned, I would go as far in this direction as we have the constitutional power to do. But I insist upon it that it would be a great aid to Congress if you should simply make this commission a commission of inquiry, a commission with power to ascertain and find the facts, a commission with power to make recommendations to Congress; and if their power is confined to deliberations upon a particular duty, concerning which a complaint is made, you will find that public opinion will be invoked; that the hearings will be published all over the country; that public opinion will be formed; and that Congress will in the main pursue the recommendations of such a commission if they are founded in reason. It is true that there was a commission organized some forty years or more ago when the Republican party realized that the Morrill tariff was producing too much revenue, and when there was a movement in the Republican party itself for the reduction of the duties, with a view to diminishing the surplus in the Treasury. But that commission was not such a commission as I have suggested, not a commission acting upon complaint, not a commission acting in a hearing upon a given case and a given duty and rendering its judgment, but merely a general commission of inquiry.

It seems to me that such a system would facilitate the work of Congress. No stronger indictment of the present system of making this inquiry has been presented than that presented by the Senator from Rhode Island when he assured us that if we looked into the details of every item in this tariff we would be here, if my recollection is right, ten years before the task was concluded.

Mr. ALDRICH rose.

Mr. NEWLANDS. I may be mistaken as to the time.

Mr. ALDRICH. I said if every Member of this body was to be accurately informed about every industry and every item of the bill, it would take probably ten years.

Mr. NEWLANDS. I say no stronger indictment of the present system can be presented than that statement, coming with authority from the chairman of the committee having jurisdiction over this subject. Let me say that if this work were intrusted to the Finance Committee, with the understanding that their conclusions would be accepted by this body, and if that committee were to enter upon the work and familiarize itself with all the details of production both here and abroad connected with each one of its items, it would take that committee ten years; and by the time they got through they would be a first-rate tariff commission, but a very poor Senate committee, so far as other legislative duties are concerned.

Now, I ask the Senator from Rhode Island, does he not wish the body that is to inquire into and determine these questions to be fully informed?

Mr. ALDRICH. Mr. President, I would be glad if the Senator from Nevada and every other Senator was fully informed upon this question. I think if they were we should have a unanimous vote in this body for the protection of American industries.

Mr. NEWLANDS. The Senator therefore agrees with me that it is desirable that the body which inquires into and acts upon this matter should be fully informed. He also says that it would take ten years for us to become fully informed.

Mr. ALDRICH. I perhaps should modify that somewhat. I made that statement with a view of all the Senators in the body. I think perhaps there might be less time required by Senators to arrive at the state of information which I think, as the Senator thinks, is desirable.

Mr. NEWLANDS. At all events, I assume the Senator realizes that it would take a long time. So I say that when that is admitted, Congress best performs its legislative function when it creates a tribunal that can give all of its time to these questions, and then it can inquire into every detail connected with production and importation, and can act upon information and not upon guess and conjecture.

Mr. President, we have thus far covered, I believe, only two or three items of this bill. Have we yet exhausted information upon the subject? What does this inquiry involve? First, an inquiry into foreign production, its cost; not merely the determination of wages, but the determination of the cost of each unit of production, for labor may be so inefficient as to make the cheapest labor most costly and labor may be so efficient as to make the highest labor the most economical. So, when you propose to enter upon the framing of a tariff that is intended to protect every American production against every similar foreign production and propose to inquire into the difference between the costs of production of two countries, you are entering upon an inquiry that involves the closest examination of the production of all competitive countries, and you must also enter into an inquiry of the cost of production in your own. You must cover the question of domestic consumption and you must cover the question of foreign importations. You must cover the question of rivalry in the future as well as in the present; the increasing powers in competition of other countries. Is this a work that can be entered upon by a legislative body of 92 Members and a legislative body of nearly 400 Members?

The Senator from Montana [Mr. CARTER] says we have all the information within our reach. I admit that a vast deal of information is within our reach. I believe that, so far as these tables are concerned, they probably are in better form than they have been at any other tariff inquiry by Congress, partly as the result of the action of the committee and partly of the suggestions of Members upon the floor, through which tables have been added. But even with the table before us, we have simply a statement, first, of the quantity of the imports for consumption; second, their value; third, the exports; fourth, the production in this country in amount; and let me say that such information is entirely inadequate. The committee has been unable, with all the statistics of the country within its reach, to put opposite two-thirds of the items of this table the value of our domestic production, and yet it is important that we should have some knowledge of the relation of imports to local production.

Do you wish to make your duties absolutely prohibitory so as to keep out foreign imports? It is important to know whether they are so. Do you wish that the imports shall bear a certain relation to our domestic production? It is important, therefore, that you should know both, and yet you do not know what the domestic production is of these articles, except a very few.

Mr. HEYBURN. Will the Senator from Nevada yield to me for a moment?

Mr. NEWLANDS. Certainly.

Mr. HEYBURN. I have a message from Nevada that may be interesting at this period of the discussion, from the state mining inspector. I will read that portion of it which relates to the lead subject—

Mr. NEWLANDS. I prefer that the Senator should read that later on. It has no pertinency to the remarks I am making.

Mr. HEYBURN. I will defer it if the Senator would prefer. I will have the floor directly.

Mr. NEWLANDS. I shall be glad if the Senator will present it later on.

Then we have the rates of duty under the present law—the rates of the House bill and of the Senate bill. Then, we have the revenues, and then we have the equivalent ad valorem. But there is no attempt in this table to go into the details of production here or abroad. We do not know what the labor cost is. Statements are presented here of wages in competitive countries. Statements are made regarding wages here, but there is no accuracy of statement and there is no indication whatever of the efficiency of that labor, so far as the production of units is concerned. As I said before, the highest priced labor in the production of a number of units may be much more economical than the lowest wages in the world.

Mr. President, so far as I am concerned, I have entered into this inquiry in no partisan spirit, with no disposition to put anybody in a hole or any party in a hole. I have no disposition to contend unduly, by long speeches and contentions, for the policy of the Democratic party, which can not by any possibility be incorporated into the statutes at present. I should like to see the frequent disturbances of business resulting from tariff agitation and tariff discussion disappear.

I believe they can be made to disappear, not in one year, not in ten years, but in a generation or two; and what is that in the lifetime of a nation? As it is, whenever the tariff matter is discussed in the campaign, there is some depression in business, and whenever it comes up for legislation the importers diminish their importations, the manufacturers diminish their productions, and the result is, in a greater or less degree, a diminution or paralysis of trade.

I do not think it is wise to have these great economic questions, that could be wisely looked into and determined by capable men acting under the direction of Congress, entering always into our business relations and disturbing our business life. If I had the power to-day, I would not at one leap change the policy of the country from the protective policy to the revenue policy. The Democratic platform does not demand it. It demands evolution, not revolution; a gradual and progressive reduction of duties in the line of a revenue tariff. Hence I am extremely solicitous that Congress should organize the machinery through which there can be a scientific adjustment of simply the excess duties. That is all it can accomplish now. If we can create a tribunal of that kind, either to act decisively upon the subject or in a way simply of inquiry and recommendation, in my judgment we will have accomplished much in the final solution of this economic question and the creation of stable conditions of domestic production and foreign commerce.

Mr. HEYBURN. Mr. President, we have just heard a most interesting message from the State of Nevada. I will supplement it by a message which I have received within a few days from the state mining inspector of that State, who, by the way, if I am correctly informed, is of the same political faith as that professed by the Senator from Nevada. He says:

Lead is one of the principal mineral resources of Nevada. This mineral is found principally in Eureka, Whitepine, Lincoln, Washoe, Elko, Esmeralda, Humboldt, and Nye counties. This covers more than three-fourths of the area of Nevada. At present about 1,500 men are working in the lead and base-metal mines of Eureka County. With an assured tariff on lead the number would be five times as great. In all portions of the State about 5,000 miners are employed in the lead properties. The Commonwealth, one of the largest lead properties in Nevada, located here, has everything in readiness to begin operation, but not a wheel is turning pending the outcome of the proposed legislation. A tariff on lead means the opening of this property and others surrounding it, giving employment to many hundreds of miners at good wages and adding thousands of dollars to the wealth of Washoe County. Two districts in Lincoln County, employing hundreds of men in the lead properties now, will construct railroads and employ thousands with a tariff on lead. Whitepine County, with 5,000 men at work, would double this number. With an adequate protective lead tariff, Eureka County, just on the eve of a revival, is paralyzed, because of fear that the lead tariff may be removed or even lowered. There is no doubt that a tariff on lead will lead to an immense increase in the mineral output of this State during the present year. Lead is the principal value contained in nearly every property in the counties of this State already named.

Mr. KEAN. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER (Mr. McCUMBER in the chair). Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. HEYBURN. I do.

Mr. KEAN. Does the Senator recall what the present population of Nevada is?

Mr. HEYBURN. I leave that for the census that is to be taken so shortly. This telegram is signed by J. F. Haley, whom I addressed for information as the state mining inspector of the State.

Mr. NEWLANDS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. HEYBURN. I had not quite finished reading the telegram.

Mr. NEWLANDS. Oh, I beg pardon.

Mr. HEYBURN (continuing):

Gold and silver are practically by-products. It is to the lead that the mine owners look for their profits. In Mexico, for instance, lead is a by-product of the gold and silver mines, and the mine owners there could afford to give this metal away and yet make an immense profit with a wage scale of 35 cents gold per day. The throwing down of a tariff barrier would result in pouring this Mexican product into this country at prices which could not be met by American labor. Irrespective of politics, the people of Nevada hope Congress will not remove the tariff on lead.

Mr. NEWLANDS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. HEYBURN. I do.

Mr. NEWLANDS. The Senator is correct in stating that the mining inspector referred to is a member of the same political party as myself. I hope that all the mining inspector's predictions regarding the future of Nevada and its mineral wealth will be realized, and I certainly join with him in every comment that he has to make upon the richness of the natural resources of our State.

Mr. HEYBURN. I sincerely hope the Senator will also vote the same way.

Mr. NEWLANDS. With reference to my vote, I have to say that I shall not permit my vote to be controlled by the considerations referred to in that telegram as the Senator interprets them. That telegram was based upon the assumption that the duty upon foreign lead might be repealed. My belief is that a fair revenue duty can be imposed, and as a matter of fact it has been imposed by this bill upon lead in the ore, a duty of 1½ cents a pound. My own belief is that a fair revenue duty would be about 1 cent per pound.

So far as the differential to the smelter is concerned, which is now under discussion, I have to say that the differential is entirely too high, in my judgment. We impose, in the first instance, a duty of 1½ cents a pound upon lead in the ore and then upon lead in bullion we impose a duty of five-eighths of a cent more, making 2¼ cents in all upon lead bullion. I believe that, even following the rule laid down by the Republican party in fixing a duty, and having in view the difference in labor cost between the two competing countries and a fair profit for the domestic producer—even pursuing that rule, the duty should not exceed three-eighths, and possibly two-eighths, of a cent. It could be cut down, in my judgment, at least one-half.

Mr. NELSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. HEYBURN. I yield with the consent of the Senator from Nevada, to whom I have already yielded.

Mr. NELSON. Will the Senator yield to me?

Mr. NEWLANDS. I wish to say that I have the floor by the indulgence of the Senator from Idaho, and I should like to hold it for a few moments in order to complete my statement.

Mr. NELSON. I wish to bring some evidence to show that the Senator from Nevada is right.

The Senator from Montana [Mr. CARTER] a while ago admonished us to examine these reports, and I find much valuable information. He made a good suggestion. I read from the statement of Mr. C. E. Allen, of Utah, who states the cost of extracting lead ore in that State. He gives the figures as follows:

It cost the miner to produce this ore as follows: Ten per cent deduction from the price of lead cost him 93 cents, and 5 per cent deduction from the price of gold cost him 9 cents per ton; 5 per cent deduction from the price of silver cost him 41 cents; average wagon and railway haul cost him \$2.50 per ton; sampling, 50 cents a ton; smelting, \$8 a ton; and mining, \$3.50 a ton.

The total cost, then, is \$15.93 a ton to reduce the ore into lead. That is Mr. Allen, of Utah. Now, they sell that ore for \$19.38 per ton. What tariff do we give them? We give them almost twice that—a cent and a half a pound. A cent and a half a pound amounts to \$30 a ton.

Mr. ALDRICH and Mr. SMOOT. No.

Mr. NELSON. A cent and a half a pound amounts to \$30 a ton.

Mr. LODGE. No; the average is about \$8 duty on lead contents, not on the whole ore.

Mr. NELSON. It amounts to that much.

Mr. SMOOT. I should like to say—

Mr. HEYBURN. Mr. President, I wish to make a statement in regard to the floor.

Mr. NEWLANDS. I beg the Senator from Idaho to permit me to conclude my answer to the telegram so that it can all be presented at one time.

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Nevada?

Mr. HEYBURN. I will make a statement that will answer the inquiry of the Chair. I will yield to the Senator from Nevada, because I deferred the reading of the telegram until he had finished his remarks. I do not care to yield to a reopening of the discussion of the testimony that was taken before the House committee. I yield further to the Senator from Nevada.

Mr. NEWLANDS. I was simply commenting upon this differential of five-eighths of a cent. The testimony presented by

Mr. Brush, who is connected with one of the smelting companies, shows that about \$12 a ton is differential, and he says that the total cost of changing that bullion from its condition as lead in the ore to bullion is \$8 per ton. Now, it has never occurred even to the Republican party—

Mr. HEYBURN. I can not yield to reopen that question. I only yielded to the Senator to reply to the telegram.

Mr. NEWLANDS. I stated that I would not allow myself to be controlled by the considerations advanced by that telegram, and I am now giving my reasons. It seems to me entirely reasonable that the Senator should yield to me for that purpose.

Mr. HEYBURN. I would prefer that the Senator from Nevada should enter into any general discussion of the question, whatever his motive may be, in his own time. I shall not speak at great length.

Mr. NEWLANDS. I will state to the Senator that I intend to be very brief. I assume that fairness would lead him to permit me to have my statement go out with the telegram.

Mr. HEYBURN. I have no objection at all, and the rules of the Senate enable the Senator to send it out, but I naturally do not desire, inasmuch, I repeat, as I am only going to speak briefly, to have a general discussion of any principle involved interjected into my remarks.

Mr. President, I desire to read another telegram from Kansas. This is from Topeka, Kans., addressed to me:

Ten thousand coal miners, 2,000 lead and zinc, 300 salt and gypsum compound.

There is a statement that the number of men in Kansas employed in lead mining is 2,000. Having that information, I merely give it to the Record.

Mr. President, we seem to have lost sight of the title of this bill, in which its purpose is expressed. The McKinley bill stated that it was for the purpose of decreasing the revenue of the country, because we were collecting more than we needed. The Wilson-Gorman bill stated that it was for the purpose of reducing taxation. The title of this bill states that it is "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." So we see that we must keep in view the purpose of the legislation.

My mind was recalled to a curious coincidence. The first act that was ever passed by the Congress of the United States, the first bill to which President Washington ever attached his signature, was a protective-tariff bill pursuant to the purpose that the convention had in view when it made the Constitution. The title of the first tariff bill declares in express terms that it is, among other things, for protection. That act was signed on July 4, 1789, the first Fourth of July after the formation of this Government, and section 1 provides:

SECTION 1. Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures, that duties be laid on goods, wares, and merchandise imported—

Then follows the text of the bill. I find in this first tariff bill, in section 1, a provision for a duty on bar and other lead of 1 cent per pound. So this is not a new question. I thought it might be interesting and perhaps useful to put that in the Record.

Mr. President, I have taken some pains to bring together the information in regard to the relative cost of producing lead and lead ores in this country as compared with rival producers. In the first place, if I am not mistaken, no Senator has included all of the items in enumerating the cost of production. You must first acquire a mine. You can not go out and mine a ton of ore or produce a ton of lead without the preliminary expenditure occasioned by the purchasing or the acquiring of the mine. If the man producing the ore discovered the mine, then, of course, he would be relieved of the expense of purchasing it. I know of no such instance in the history of this country.

Mr. ALDRICH. Would the Senator from Idaho prefer to proceed with his remarks on Monday?

Mr. HEYBURN. That would be entirely agreeable to me, if the Senator from Rhode Island desires to have an adjournment at this time. I am ready either to go on or to yield to an adjournment, as may suit the pleasure of the Senate.

Mr. ALDRICH. I thought perhaps the Senator might prefer to have an adjournment and resume on next Monday.

Mr. BACON. Mr. President—

Mr. BEVERIDGE. Is it not possible for us to have a vote this afternoon?

Mr. ALDRICH. I think not.

Mr. BACON. I will state to the Senator that, if it is now proposed to have an adjournment, I shall certainly ask that I may be allowed to occupy five or six minutes of the time of the Senate before adjournment.

Mr. ALDRICH. I have no objection to that.

Mr. HEYBURN. Then I would necessarily proceed.

Mr. BACON. Yes.

Mr. ALDRICH. Does the Senator from Georgia intend to speak at length to-night?

Mr. BACON. No; but probably for five or six minutes.

Mr. ALDRICH. Many Senators have asked me to move an adjournment.

Mr. BACON. I will remark very frankly that I think I ought to say something in reference to what the Senator from Massachusetts [Mr. LODGE] has said, which I was entitled to say immediately after he took his seat, but I have not been able to get the floor.

Mr. ALDRICH. If the Senator from Idaho is willing to postpone his speech until Monday—

Mr. HEYBURN. That will be entirely agreeable to me, with the understanding that this speech and the preceding speeches will end the discussion.

Mr. BEVERIDGE. Is it not possible to get a vote to-night?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. HEYBURN. Yes.

Mr. BEVERIDGE. Merely for a suggestion in reference to the proposition to adjourn. In view of the fact that the Senator from Idaho [Mr. HEYBURN] said a moment ago that his remarks would not be very long, and, as I understand from the Senator from Iowa [Mr. CUMMINS] that his will not be, it struck me that the Senator from Rhode Island might be willing to have a vote taken on this matter this afternoon.

Mr. ALDRICH. Mr. President, eight or nine Senators have left the Chamber with the idea that there would be no vote taken to-night, as it was very evident that the discussion would not be completed. Personally I should be delighted to vote at this minute, but I have some obligation to other Senators who desire to be heard on this question. So I do not think I should be doing right to urge a vote at this time.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. I do.

Mr. CUMMINS. I could not quite hear the remarks of the Senator from Rhode Island, or his suggestion in regard to postponing the discussion. I feared that possibly there was an arrangement for a vote at a particular time.

Mr. ALDRICH. There is no disposition to do that. I simply said that eight or ten Senators had left the Chamber with the idea that there was to be no vote taken to-night. I personally would prefer to have a vote immediately; but I know that several Senators desire to speak on this question, notably the Senator from Iowa himself, and for that reason I am perfectly willing to have a present adjournment rather than to keep the Senate here for three-quarters of an hour longer.

Mr. CUMMINS. I am quite willing to see the matter go over; but I have an amendment to offer to the paragraph, and I want an opportunity to offer it at the proper time.

Mr. ALDRICH. We all understand that, of course.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. HEYBURN. Yes.

Mr. BEVERIDGE. I want to say to the Senator from Iowa merely this: I think the point in his mind arose, perhaps, from a suggestion of mine. The Senator from Rhode Island suggested an adjournment. I had heard the Senator from Idaho say that his remarks were going to be brief. I knew the Senator from Iowa was going to present an amendment and make some remarks, which I also understood would be brief. I therefore suggested to the Senator from Rhode Island the feasibility of having a vote to-night, but he said it was not feasible.

Mr. ALDRICH. The anxiety of the Senator from Indiana to get a vote is extremely gratifying to me, and, so far as my personal desires are concerned, I should be glad to have a vote at this moment; but it is very evident that a vote could not be reached between now and 5 o'clock, and I personally am ready now to move to adjourn, unless some Senator desires to go on.

Mr. BEVERIDGE. I merely made my last statement so as to explain to the Senator from Iowa what had previously transpired.

Mr. HEYBURN. Mr. President, the suggestion to adjourn meets with my hearty concurrence. It is late in the day and late in the week, and we are all, of course, suffering from much fatigue. I would very cheerfully yield to a motion to adjourn.

Mr. BACON. Mr. President, I will ask that I may have the opportunity—

Mr. ALDRICH. I will not make the motion to adjourn until the Senator from Georgia concludes.

Mr. BACON. If the Senator from Idaho yields the floor—
Mr. HEYBURN. I yield the floor, then, with the understanding that we are going to adjourn very soon. Of course, if we were to remain in session, I would proceed. I now yield to the Senator from Georgia.

Mr. BACON. Mr. President, the Senator from Massachusetts [Mr. LODGE], in the address which he made to the Senate this afternoon, had some things to say in response to the remarks which I made to the Senate yesterday, which possibly call for some reply from me. This is the more particularly appropriate as the Senator not only alluded to myself a number of times in the course of his address, but sought to make an application of the particular contention which he then presented to the Senate by reference to the section of the country from which I come. I should have been very glad, Mr. President, to have replied immediately, but I have been unable to obtain the floor. There are some things that a man can say, and say better dum ferveat opus, when the time is opportune and when the minds of those who are to hear him are occupied with the subject-matter. It is somewhat more difficult when even half an hour has elapsed and other business has intervened, and therefore I may not go as fully into a reply as I otherwise would do; in fact, if I were to reply at length to the Senator, it would be necessary, in large degree, to repeat what I said on yesterday, which, of course, I have no disposition to do, and if I should attempt it I am sure the Senate would not feel entirely patient.

Therefore, Mr. President, so far as the general contention of the Senator is concerned in the remarks submitted by him, I shall leave what I said on yesterday, which will be in the RECORD, to be judged of by those who may have sufficient interest in the matter to investigate it in opposition and in reply, if you please, to what the Senator from Massachusetts has said to-day.

There are one or two things which occurred to me while the Senator was addressing the Senate to which I will make allusion. The Senator did not reply to the part of the argument which pointed out the injustice necessarily found in every high protective tariff, in the fact of its inequality, and in the impossibility that whatever burdens there might be should be equally distributed, and whatever benefits there might result should be equally enjoyed. I have pointed out in the debate on yesterday that the large industry of the particular section from which I come is the growing of cotton, with an annual product of 13,000,000 bales, valued, with its important side products, at some \$800,000,000 a year; that in that gigantic industry a large majority of the people in my section are engaged and most intimately interested.

I had shown that, by reason of the fact that from two-thirds to three-fourths of that product is exported and is sold in the free markets of the world, this vast population, engaged in this most important industry, sending forth the largest of all single exports which are sent from the United States, whether agricultural, mineral, or manufactured—this large industry, with this vast multitude of people connected with it, bore all the burdens and shared not one dollar of the benefits of the protective tariff, and could not share it in the nature of things. To that the Senator was careful to make no response. He was careful to make no response to the fact that, when the immense spoil, of which I have spoken, to be gathered under the protective-tariff law, was divided among the protected favorites, a very large part of it was exacted as a tribute from this vast multitude of people engaged in the production of cotton, and that industries which claimed that they could not live unless they had artificial assistance were allowed to exact this tribute from this large section of our country in the payment to them of that which nobody owed them, and to receive that for which they gave no equivalent. That part of the argument the Senator avoided.

I might have extended it, Mr. President, to the agricultural sections of the West, where it is attempted to make the corn growers of the West believe that the tariff put upon corn is of benefit to those engaged in that important industry, from the tariff upon which they can in truth receive no benefit.

But I pass from that. I did not intend to say that much on the general subject; but one thought I want to express, and that is this: The Senator was magnanimous in the expression of the desire on his part for equality of benefit to all sections of the country; he wanted them all prosperous, and he particularly wanted the South prosperous; that his section was interested in the prosperity of the South. Mr. President, it brought to my mind this fact: On the continent of Europe there is scarcely a hilltop but what is crowned by the ruins of some old feudal castle. In the days when might was the law and had the full exercise of its will, those castles were occupied by feudal lords, who themselves produced nothing, but who at cer-

tain seasons made their forays in the country round, and gathered from those who had digged and toiled, the fruits of their fields, and carried them to their castles for their enjoyment.

Those feudal lords were not indifferent to the prosperity of the countryside; those feudal lords knew that it was necessary that the fields should be fruitful in order that they should gather from them their spoil. So it is with the section from which the Senator comes. It has grown rich in making these forays into other sections of the country, including the South, through the forms of law; it has every year gathered an enormous tribute which has flowed in a golden tide from this section which contributes it, and which, so far as concerns those engaged in cotton growing, its principal industry, receives nothing in return.

And, Mr. President, this suggests the further thought that, when those feudal lords gathered the spoil and with their men at arms stood around for its division, they were not more indifferent to the question from whom the spoil had been derived, than is the contemplation of the protective-tariff law, when Senators gather around the spoil to be distributed, in considering the question of to whom these unnumbered millions of dollars belonged, or from whom it had been unjustly taken.

The Senator from Massachusetts spoke of the overthrow of the South in the civil war, and while he paid tribute to the valor of the South, he sought to show that there was an inherent weakness, on account of which there could have been nothing else but disaster and defeat when it met the North in deadly struggle. The four years' unequal struggle is the best answer to that. He said, Mr. President, that they could make no food; that as soon as the North gathered its circle around it, the South perished because of innate weakness.

Mr. LODGE. I did not say they could make no food, Mr. President. I did not say anything so absurd.

Mr. BACON. If the Senator will look at his remarks, he will certainly see that he said the South could never make food to feed her armies.

Mr. LODGE. Never. I will refer to the stenographer's notes and to Senators around me, who heard what I said. I said clothing, medicines, and things of that kind.

Mr. BACON. The Senator may think so now, but, as I recollect, he is mistaken. I will not, however, stop to discuss that. It makes no difference now whether he said food or something else. The truth is this, that the South lost, not by reason of inherent weakness, but because of the fact of a disparity in numbers. It had a contest upon its hands of 5 to 1 in fighting men. It is true that the blockade had a great deal to do with it; but it was because the blockade prevented the South having access to the remainder of the world for the utilization of its resources. If the ports had been open, if this much-despised cotton had been available for interchange with the balance of the world, there would have been no paucity of resources. But, Mr. President, after four long years of bitter, relentless, merciless war, there was an absolute destruction and exhaustion of the resources of the South. I myself saw a broad line of cinders and ashes across my State 300 miles long and from 30 to 60 miles in width—not a pillar of cloud, but a vast sky full of clouds by day, and a lurid glare from zenith to horizon by night.

The South, Mr. President, will have no cause, either now or hereafter, to be in any manner apologetic either for its valor or for the application and production of resources which, under any normal conditions, would have been ample for them in their struggle.

I wish to say further, Mr. President, that while I have a pride which I believe, if not now shared, will in the near future be shared by every American in the valor of the southern men in that conflict, the valor of the men in the field was not the highest exhibition of virtue and of courage made by that people; that that highest exhibition was in the utilization and devotion to the last limit of their resources, in the maintenance through the long years of a stout heart in the face of a hostile world, in the sacrifice without stint of every interest, so that, with every household a house of mourning, with their women not wailing, but clad in black, with a chair vacant at every table and at every hearthstone, when the flower of her manhood lay dead on a hundred victorious fields, it was only when physical power failed from exhaustion, when stout heart could no longer of itself maintain the struggle, however stout that heart might remain, because physical resources were gone, it was only then that this unequal struggle ended.

And, Mr. President, as one who bore an humble part in that mighty struggle, I desire to say that I consider that the women of the South, in the midst of that day of desolation and mourning, of sacrifice beyond estimate or realization, not only bore the greatest of the burdens, but in them were found the greatest of courage and of fortitude.

Mr. President, it is not pleasant for me to recur to that day, and I have never in this place or anywhere else, especially since I have borne a commission as a Senator of the United States, sought to intrude controversially these questions upon either this body or upon any other gathering. That day, with its woes, belongs to the past, which I have no pleasure in reviving. It is now a memory which can not be put away. It belongs not to the present nor the future. But, Mr. President, I can not sit still and hear the suggestion made that because we did not have a system by which one section was plundered for the benefit of another, therefore we failed in that great struggle, for that is the argument of the Senator from Massachusetts, and that alone is his argument.

Sir, it was a remarkable struggle. The history of it will never be written within even the twentieth century, but the time will come when in song and story the heroism and the devotion and the fortitude and the prowess of that people in that mighty struggle will take their rank with anything known to recorded history.

Mr. President, another thing which is going to be remarked, and which is more to the point of the particular issue which the Senator from Massachusetts has raised, is that in the midst of that desolation and ruin that people did not lose its courage, and that out of ashes and desolation, spread from the Potomac River to the Rio Grande, there has arisen a prosperity and a development of material wealth as to which no man can pass through that country without giving expression to his wonder and his surprise.

I remember, sir, that a year ago I had the fortune to ride through a large part of that country with my friend the junior Senator from Minnesota [Mr. CLAPP], whom I now see sitting before me, and when he saw our prosperous cities, our thriving villages, our industries of every kind in almost incredible profusion, our smiling fields, our bursting barns, our active, industrious people, the Senator from Minnesota, sitting by my side, looking out of the car window, said:

"My God, who could have believed that a people who came up out of such a desolation could in such a time have accomplished what they have?"

I was glad as I sat by his side to hear that expression from him.

Mr. President, I can not give the precise figures, but I believe that the recognized valuation of property in the Southern States, not including Missouri, is \$20,000,000,000, and every dollar of it, speaking generally, except the value of the land, is the creation of the energy and the industry and the indomitable courage of a people who stood neck deep in the ashes of their overthrow and addressed themselves manfully and courageously to the restoration of their fortunes.

Sir, to achieve this stupendous success we did not have a high protective tariff in our interest, or a body like the Senate of the United States to which we could come and appeal and say, "We can not succeed in our industries unless you give us help; we can not build up our waste places unless you tax the balance of the United States and pour a golden flood upon us."

Mr. LODGE. What tariff have you had since the war?

Mr. BACON. We have had the same tariff there. But that tariff has not built up the wealth of the South. On the contrary, that protective tariff has during almost the whole of that time imposed a most grievous burden on the South, for which it has had no benefit in return. The wealth of the South is the product of the agricultural industry of the South. Of course there are exceptions, but, speaking generally, the factories which have been built and the enterprises of all kinds which have been gone into and developed, have been built and developed directly or indirectly out of the money from these agricultural enterprises which have had no benefit from the protective tariff, but which, on the contrary, have had to pour a continuous golden stream of yearly tribute to enrich the section from which the Senator from Massachusetts comes. And these industries need no greater protection than is found in the rates of duty required to raise the revenue of the Government.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. I do.

Mr. GALLINGER. I do not want to get into a controversy with the Senator from Georgia—

Mr. BACON. I am not inviting one.

Mr. GALLINGER. But is it not true that, to a very large extent, your development has come from capital sent from the North to the South?

Mr. BACON. No, sir; it is not true.

Mr. GALLINGER. It is not true?

Mr. BACON. It is not true.

Mr. GALLINGER. Then I have—

Mr. BACON. There never has been a greater and wider misapprehension than that.

Mr. GALLINGER. I am not speaking of the Senator's State, but I am speaking of the South at large.

Mr. BACON. I am speaking generally.

Mr. GALLINGER. I know to the contrary, to a considerable extent.

Mr. BACON. If a man has before his eyes a speck, it will obscure the horizon from his view, and where the Senator knows of a few hundred thousand or a million dollars—

Mr. KEAN. Ten million.

Mr. BACON. Or ten million or hundreds of millions—and there is no such figure or anything like it—where the Senator may know of a few investments of capital of that kind which have stood between the Senator's vision and the large horoscope, it is an infinitesimal fraction compared to the wealth which has been produced by our people through their own muscle and their own brain, their own courage and their own perseverance.

Mr. GALLINGER. Of course we all acknowledge that, and we are all gratified to know it is the fact; but, notwithstanding that fact, the North has liberally contributed toward the prosperity of the South, and they have been glad to do it.

Mr. BACON. I am not finding any fault with that. I have no doubt it has been. But when the Senator talks about the thousands of millions of southern development being the product in any material degree of any contribution from any other section of the country, he is vastly mistaken.

Now, I wish to say to the Senator that there is no man in this Chamber for whom I have a higher personal regard than for him, and there is no man in this Chamber who, I believe, has a kinder heart for the section from which I come, and therefore my reply, though it may be somewhat heated, must not be misunderstood by him.

I know conditions there very much better than he possibly can, and it is perfectly natural that a Senator living in a remote section, one most highly favored, upon which there has never been the tread of a hostile foot or the echo of a hostile gun since the days of the Revolution, where there has been no destruction of property, where all the increases of wealth have gone on from year to year to pile up that which now constitutes the wealth of his section, and not only of his State, but of New England—it is perfectly natural that he should not realize the magnitude of the accomplishment of the people of the South in the restoration of their prosperity. And it is perfectly natural that while he may know here and there of the contribution of a comparatively small amount in the development of some industry here or one there, he should regard that as an important element in the development of the wealth of the South.

Let me assure the Senator that while there are a great many people who think as he does, there never was a greater mistake than to suppose that in any material degree the vast, almost incredible, development of wealth in the South has been due to the assistance received by it from any other section.

Mr. President, take my own State. The wealth of the State at the conclusion of the war was in desolated land alone. They did not yield the contest until everything destructible had been destroyed. There was no personal property left. There was not even clothing for the people. They were in rags, with no agricultural implements, with no stock for the cultivation of crops; and yet in forty years it has come so that the assessed valuation of property in my State amounts to about \$800,000,000; and I want to say that that does not represent much more than half the wealth of the State, from the fact that, not by evasion, but in accordance with the custom recognized as proper and which is not injurious, so long as it is observed by all, real estate is generally given in at a valuation of from 40 to 50 per cent of what its market value really is. So I have not the slightest shadow of doubt that in my State the value of property is between twelve and fifteen hundred million dollars, at least four-fifths, or more probably five-sixths, of which has been the product of the unaided industry and the unflinching energy and perseverance of the people of Georgia, and of them alone.

I know in a general way where money has come into the State. I know what railroads have been built there by foreign capital, and I know what have been built by our own people. I know what is the proportion, in some considerable degree, of the investment in factories by outside capital. While taken by itself, it would amount to a very considerable sum, in comparison to the twelve or fifteen hundred million dollars of value of property in that State it is an insignificant fraction compared to the grand total. The North has bought our bonds, but money realized from the sale of our bonds, based on our own securities, becomes our own money, and is not money invested

by the North for our development. It is the loan of money upon satisfactory security.

Mr. President, we are apt to be led away when something which touches us very closely and comes close to the heart commands our utterance, and I have said a good deal which I had not the slightest idea of saying when I rose. But it is a tremendous, a grievous burden of taxation to enrich others under which our people rest. When the Senator from Idaho gets up and reads a telegram that the miners in his State must have certain protection or they can not do business, what does it mean? It means that they want more money than their business, left to itself, will produce, and that money has to be paid by somebody. Who pays it? It means that the people of Georgia shall out of the fruits of their toil be required to pay money to go to Idaho to assist in paying wages to the miners of Idaho, although they owe them nothing. That is what it means. And the illustrations might be multiplied a thousandfold.

The framing of a protective tariff is not a question of revenue. As I said yesterday, the title of this bill ought to be changed. It is not a bill to raise revenue. It is a bill to settle the sum which shall be extorted from the people of the United States engaged in certain vocations other than those most directly interested, and which shall be given to them without consideration to sustain them in their private business which they come here and say they can not maintain unless somebody is compelled to come forward and to contribute money to help their support.

As I said yesterday, the monstrosity of this is not realized by the people of the United States. The Senator from Massachusetts [Mr. LODGE] says there are thirty-odd million people either directly themselves engaged or dependent upon the business of manufactures concerned in the protective tariff. In round numbers, that is one-third of the people of the United States.

Mr. LODGE. Those are the figures for 1900.

Mr. BACON. Very well; we will accept them. Relatively, they are the same. There have been increases in other departments in the same proportion. So it makes no difference about that.

Mr. LODGE. But they were more than a third of the total.

Mr. BACON. A little over a third. I will call it a half, if you want—if the Senator desires.

Mr. LODGE. I do not want you to call it anything.

Mr. BACON. I say, if the Senator desires.

Mr. LODGE. I want the Senator to be accurate.

Mr. BACON. Suppose it is a half, or anything like it. Upon what possible grounds can it be defended that those engaged in an industry embracing only one-half of the people shall have a tax levied upon the other half, in order that the product of their labor may be supplemented by subtracting from the profit of other men's labors?

As I said—

Mr. ALDRICH rose.

Mr. BACON. If the Senator will pardon me for a moment, I will be through directly.

Mr. ALDRICH. I want to ask the Senator a question.

Mr. BACON. Not now. I understand the tactics of the honorable Senator from Rhode Island very well. I have seen them all through this debate, and I decline to yield to him now. But I shall not dodge it. I will stand on the floor, and the Senator can ask me anything he wants when I get through.

I said that the monstrosity of this proposition can scarcely be realized and is not realized by the people of the United States, but I thank God the time is coming when the people of the United States will realize it and appreciate it and know it. As I said yesterday, we have two classes of taxes to be gathered under the protective policy, one of them the class of taxes gathered at the ports by the officers of the Government, and the money there gathered goes into the Treasury of the United States, and we all get the benefit of it. The other class of tax collectors is found in every store in the United States. Every clerk in every city, in every village in the United States, is a tax collector to gather up these \$2,000,000,000 of which I spoke yesterday, this annual tribute; and I want to say that that was an underestimate. It is an estimate which can not be uniform, because it depends upon the class and rate of tariff and the particular articles which may be the more heavily taxed.

But, as I was saying when I was diverted, in every store in the United States, in every great department store, in every lesser store, in every shop, behind every counter, stands a clerk—10,000,000 clerks, I suppose; certainly millions, if not 10,000,000—and every time a clerk sells an article across the counter he receives the value of the goods, and an additional amount to be sent as a gratuitous contribution to those who are the beneficiaries of the protective tariff. The purchaser pays the value of the article, and then, in every instance, pays an additional amount to be sent to the protected producer of the article.

I say, sir, when the monstrosity of that fact is well understood by the people of the United States, when the hardness of the times, which makes it difficult for men to make enough to support themselves in comfort, brings them to a realization of it, then I do not believe they will tolerate it.

Mr. President, think of it for a minute. A man goes forth from his home in the morning to toil, to make that which is to support his wife and his children—whether it be the toil of muscle or of brain, or whether it be in the country or city, makes no difference. He comes back at night with a consciousness of what he has done in his capacity as husband and father for the support and comfort of those who are dependent upon him. When he looks around and thinks, "I have done my duty to-day, and I have by my toil made so much," there must come to him the distressing reflection that of that which he has thus made, all shall not go to those whom he loves, but that a large portion of it has to go in this tax, paid through these innumerable and involuntary tax collectors, these merchants and clerks in stores, for the benefit of men whom he never saw, for the benefit of men to whom he owes nothing, and for the benefit of men who have no claim upon him.

But, Mr. President, that is, of course, clear beyond what I rose to say. The Senator from Massachusetts particularly addressed himself to me and to what I had said. If he had stopped there, I should have said nothing, but when the Senator went on to speak of the South, and to exploit his views of the causes which lead to its great disaster, I may be excused if I fail to sit silent and say nothing.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate adjourn.

Mr. FRYE. Can we not have an executive session?

Mr. ALDRICH. Certainly; if the Senator desires one.

Mr. FRYE. I should like to have one for a few moments.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until Monday, May 10, 1909, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 8, 1909.

ASSOCIATE JUSTICES OF THE SUPREME COURT OF ARIZONA.

Ernest W. Lewis, of Arizona, to be associate justice of the supreme court of the Territory of Arizona, vice Frederick S. Nave, resigned.

Edward M. Doe, of Arizona, to be associate justice of the supreme court of the Territory of Arizona, vice Richard E. Sloan, resigned.

UNITED STATES DISTRICT JUDGES.

William I. Grubb, of Alabama, to be United States district judge for the northern district of Alabama, vice Oscar R. Hundley, now serving under a recess appointment.

Charles A. Willard, of Minnesota, to be United States district judge for the district of Minnesota, vice William Lochren, resigned.

George Donworth, of Washington, to be United States district judge for the western district of Washington. An original vacancy provided by the act approved March 2, 1909 (Public, No. 300).

PROMOTIONS IN THE NAVY.

Second Lieut. William F. Bevan to be a first lieutenant in the United States Marine Corps from the 16th day of January, 1909, vice First Lieut. Daniel W. B. Blake, promoted.

Second Lieut. John Potts to be a first lieutenant in the United States Marine Corps from the 31st day of January, 1909, vice First Lieut. Russell B. Putnam, appointed a captain and assistant quartermaster in the Marine Corps.

POSTMASTER.

Thomas J. Akins to be postmaster at St. Louis, in the State of Missouri, in place of Frank Wyman. Incumbent's commission expired November 17, 1907.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 8, 1909.

FIRST ASSISTANT COMMISSIONER OF PATENTS.

Cornelius C. Billings to be First Assistant Commissioner of Patents.

ASSISTANT COMMISSIONER OF PATENTS.

Frederick A. Tennant to be Assistant Commissioner of Patents.

POSTMASTERS.

IDAHO.

Alfred J. Dunn, at Wallace, Idaho.

OHIO.

William D. Archer, at Pleasant City, Ohio.

WITHDRAWAL.

Executive nomination withdrawn from the Senate May 8, 1909.

Ernest W. Lewis, of Arizona, to be associate justice of the supreme court of the Territory of Arizona, vice Richard E. Sloan, resigned.

SENATE.

MONDAY, May 10, 1909.

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington. The Journal of the proceedings of Saturday last was read and approved.

DISCRIMINATIONS AND MONOPOLIES IN COAL AND OIL.

The VICE-PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a report of the investigation by the Interstate Commerce Commission into the subject of railroad discriminations and monopolies in coal and oil (S. Doc. No. 39), which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Foreign Relations and ordered to be printed in the Record, as follows:

Joint resolution memorializing Congress in regard to international peace.

Whereas the progress of industry and the happiness and prosperity of the people of all countries depends upon the maintenance of peace among the nations of the world; and

Whereas international wars have resulted usually from jealousies due in a large degree to mutual misunderstandings which could have been made clear by conferences and investigations; and

Whereas it would promote the progress of peace in international relations to have a parliamentary union at stated intervals, composed of delegates from all nations; and

Whereas the friendly relations existing between the United States and all nations make it peculiarly fitting that the proposal should come from this country: Therefore be it

Resolved by the assembly (the senate concurring), That we respectfully memorialize the Congress of the United States to initiate proceedings to invite the nations of the world to send delegates to an interparliamentary union for the purpose of discussing and establishing a system of international arbitration and investigation of disputes between nations and to arrange for a permanent interparliamentary union at stated intervals; and be it further

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to the President of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives, and to each of the Senators and Representatives from this State.

L. H. BANCROFT,
Speaker of the Assembly.
JOHN STRANGE,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. E. ANDREWS,
Chief Clerk of the Senate.

The VICE-PRESIDENT presented a petition of sundry citizens of Chicago, Ill., praying for the repeal of the duty on hides, which was ordered to lie on the table.

He also presented a petition of the Commercial Exchange of Philadelphia, Pa., praying for the ratification of a reciprocity treaty with Canada by which all the products of that country shall be given entry into the United States upon payment of tariff duties not exceeding the duties charged by the government of the Dominion of Canada upon similar articles that are the products of the United States, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New York, Ohio, Pennsylvania, New Mexico, Wyoming, Delaware, South Carolina, North Dakota, Kentucky, and Missouri, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. KEAN presented a petition of sundry manufacturers of pen and pocket knives, of Sussex and Newark, N. J., praying for the retention of the proposed duty on imported knives or erasers, which was ordered to lie on the table.

He also presented a petition of sundry shoe manufacturers, of Newark, N. J., praying for the repeal of the duty on hides, which was ordered to lie on the table.

He also presented a petition of Mickleton Grange, No. 111, Patrons of Husbandry, of Swedesboro, N. J., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

He also presented a memorial of Local Union No. 3, Cigar Makers' International Union of America, of Paterson, N. J., remonstrating against the repeal of the duty on cigars imported from the Philippine Islands, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURKETT:

A bill (S. 2297) amending sections 2307 and 2308, Revised Statutes, United States—additional homestead; to the Committee on Public Lands.

A bill (S. 2298) granting an increase of pension to Wesley Coppock; to the Committee on Pensions.

By Mr. CUGGENHEIM:

A bill (S. 2299) authorizing the appointment of M. J. Harty, captain, United States Army, retired, to the rank and grade of brigadier-general on the retired list of the army (with the accompanying papers); to the Committee on Military Affairs.

A bill (S. 2300) granting an increase of pension to Franklin Stauter;

A bill (S. 2301) granting a pension to Mary Bell;

A bill (S. 2302) granting an increase of pension to Cassius B. Kimball;

A bill (S. 2303) to increase the pensions of certain persons now on the pension rolls under the general laws; and

A bill (S. 2304) granting an increase of pension to Charles W. Eaton (with the accompanying papers); to the Committee on Pensions.

By Mr. KEAN:

A bill (S. 2305) granting an increase of pension to George B. Van Pelt (with the accompanying papers); to the Committee on Pensions.

AMENDMENT TO THE TARIFF BILL.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

AFFAIRS IN PORTO RICO.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 40), which was read, and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed.

To the Senate and House of Representatives:

An emergency has arisen in Porto Rico which makes it necessary for me to invite the attention of the Congress to the affairs of that island and to recommend legislation at the present extra session amending the act under which the island is governed.

The regular session of the legislative assembly of Porto Rico adjourned March 11 last without passing the usual appropriation bills. A special session of the assembly was at once convened by the governor, but after three days, on March 16, it again adjourned without making the appropriations. This leaves the island government without provision for its support after June 30 next. The situation presented is therefore of unusual gravity.

The present government of Porto Rico was established by what is known as the Foraker Act, passed April 12, 1900, and taking effect May 1, 1900. Under that act the chief executive is a governor appointed by the President and confirmed by the Senate. A secretary, attorney-general, treasurer, auditor, commissioner of the interior, and commissioner of education, together with five other appointees of the President, constitute the executive council. The executive council must have in its membership not less than five native Porto Ricans. The legislative power is vested in the legislative assembly, which has two coordinate branches. The first of these is the executive council just described, and the second is the house of delegates, a popular and representative body with members elected by the qualified electors of the seven districts into which the island is divided.

The statute directing how the expenses of government are to be provided leaves some doubt whether this function is not com-